History of the Lay Claims

Under the Scottish Bishops

1789=1905.

By the

Very Rev. G. T. S. FARQUHAR, M.A.

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HISTORY

OF THE

LAY CLAIMS

UNDER THE SCOTTISH BISHOPS.

1789-1905.

BY THE VERY REV.

GEORGE T. S. FARQUHAR, M.A.,

DEAN OF S. ANDREWS, DUNKELD, & DUNBLANE.

"I resolved from the very beginning of my episcopate to do nothing of my own private mind, without taking counsel with you and without the consent of my people."
—*S. Cyprian, Ep. 5 to the Clergy.*

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PREFACE.

HAVING been called to serve on the "Bishop's Commission" of 1903-4, which suggested the formation of the Consultative Council; on the Provincial Synod of 1905, which constituted it; and on the Consultative Council itself immediately after its formation, I became impressed with the fact that the creation of the new body is an event of great importance in the history of the Scottish Episcopal Church. As I thought over the matter, I began to wish that some one would trace out for us that development of events which had led up to so remarkable an extension of the Laity's canonical sphere of work. Quite unconnected with that, I used, as Librarian of the Cathedral at Perth, to look somewhat regretfully at our fine collection of Scottish Episcopal pamphlets and magazines, as they stood undisturbed on the shelves, and wish that some one would disturb them. "Surely," I thought, "if anybody could be prevailed on to take the necessary trouble, some useful history might be written from them!"

And then one day the two thoughts came together. "Suppose," I said to myself, "I should be the one to compile a narrative of the Lay movement in our Church by disturbing these pamphlets and magazines!' Accordingly, I set to work to carry out my idea, and the following pages are the result. The chapters here laid before the reader are intended to be a History of the Lay Claims under the Scottish Bishops, as unfolded by the material to be found on the shelves of the Library of S. Ninian's Cathedral, Perth. As the material thus provided, though not absolutely exhaustive, is yet very full and quite enough to enable the story to be written with substantial completeness, I have not been at pains to go further afield for authorities. In two instances,

however, I have done so. There being a gap in our Library of pamphlets and magazines between 1864 and 1870, I have thankfully availed myself of the Rev. George Sutherland's kindness in lending me his copy of the *Scottish Guardian* for 1864-7, and of that of the Rev. J. G. Craven in lending me a volume of pamphlets containing some by Major Scott of Gala.

As a matter of fact, indeed, I have an opinion on the Lay Claims. I consider, *first*, that the Church has been far too long in according to the Laity that position which has at last been given them; but, *secondly*, that the constitution consisting of the Representative and Consultative Councils, which she has now provided for them, gives most satisfactory embodiment to the principles, which have been established by the prolonged arguments used. I agree with the opponents of the Lay Claims in so far as they resisted the endeavour to put the Laity on a full equality with the Clergy in all legislation; but I disagree with them in so far as they tried to make all legislation exclusively a clerical matter. I agree with the advocates of the Lay Claims in so far as they contended that the Laity ought to have a substantial and important share in legislation; but I disagree with them in so far as they desired to have the Laity voting on all subjects of legislation on an entire equality with the Clergy, and as constituent, voting members of the Synods. In a word, my opinion is that the Laity ought to have a great, though in some respects subordinate, share in legislation.

But I want my readers to observe that this work has not been written to support or attack either the one side or the other in the controversy, with which it deals. It is a brief neither for the supporters, nor for the opponents, of the Lay Claims. My object has simply been to record, with whatever impartiality I can muster, all the arguments, which have actually been used for and against those claims in the Scottish Episcopal Church; and to give a narrative of the consequent steps taken by the Church herself.

I have avoided as much as possible telling the story in my own words, and have tried to express it in those of the contemporaries of, and actors in, the events themselves. By

this means I hope that, not only will the record of what happened be given, but also that it will be so given that something of the very flavour of the times will be conveyed along with it. I may here once for all add, that occasionally in extracting and dove-tailing the quotations together, I have introduced slight verbal alterations, such as to make sentences run grammatically; omitted parentheses for the sake of brevity, and italicised words in order to make the point stand clearly out, but never so as to change the meaning of the original writer. However, I give the references, and can always be checked.

I am somewhat afraid that the general reader may find the chapters, which are taken up with analysing the pamphlets and recording the arguments, somewhat dry, although I am sure they are instructive, and many of the passages quoted from them of literary value; but he ought, I think, to be interested in those other chapters, which relate the story of the conflict with all its delays and advances; its hopes and fears; its defeats and victories.

GEORGE T. S. FARQUHAR.

1 Balhousie Bank,
Perth, July 6, 1907.

CHAPTER I.

The Laurencekirk Conventions of 1789-92 and Dean Skinner's Proposal, 1824.

The history of the real, consecutive attempt to win for the Laity of the Scottish Episcopal Church a recognised share in the legislative and administrative activity of their Communion, begins exactly in the middle of the nineteenth century.

There were, however, two somewhat remarkable preludes to that movement, which occurred at much earlier dates; a brief account of which may very suitably form the subject of our opening chapter:—

(1.) It is well known that Dean Skinner of Linshart (1721-1807),[a] commonly called "Tullochgorum," differed in opinion from the Bishops, who were the sole rulers of the Church in his day, on the important matter of Jacobitism. He was punished, indeed, by the Secular Power for his Churchmanship and obedience to his Bishop, but he was also punished on the other side by his Bishop (Gerard of Aberdeen) for complying with the secular law.[b] We are not therefore surprised to find that his son, John, when he was raised to the Episcopate (1782), though continuing the autocratic tradition of the 18th century Prelates, yet provided a constitutional method, by which Bishops should receive advice. Thus, in 1787,[c1] he restored the Diocesan Synod of Aberdeen, which had lapsed, and presided at the General Synod of 1811, at which the Clergy were for the first time admitted as constituent members,[c] along with the Bishops.

But it is his treatment of the laity in 1789 and in 1792 which concerns us here. In the former of those years,

[a] Walker's "Life and Times of Dean Skinner," p. 203. [b] Ibid. Chaps. II. III.
[c1] Walker's "Life of Bishop Skinner," p. 57. [c] Ibid. p. 273.

being that following the death of Prince Charlie, and the consequent recognition of the Hanoverian dynasty by the Scottish Church, Bishops Skinner, Abernethy-Drummond, and Strachan had visited London to endeavour to obtain the repeal of the Penal Laws. In this they were unsuccessful, owing to the surly opposition of the Lord Chancellor, Thurlow. Undeterred by this defeat, our Prelates determined to renew the campaign. But, whereas in the first attempt they had gone up to the Capital as representatives of the Episcopal College only, they resolved that, whoever should be chosen to go up on the second occasion, should go as the representatives of Bishops, Clergy, and Laity alike. Accordingly, it was resolved to summon a Convention, for which the Primus issued a summons[d] to the effect that:—"On Wed., Nov. 11, 1789, at 11 a.m., a general meeting of the Bishops and Clergy of the Church is to be holden at the village of Laurencekirk, in the county of Kincardine, for the purpose of taking into consideration the present state of our application to government for the repeal of the penal laws, and requiring them also to assemble the principal members of their respective congregations, and *that* for the purpose of nominating and appointing some person or persons belonging to each to attend such meeting as delegate or *delegates from the Laity* of the Episcopal Communion; failing which appointment the clergyman of each congregation or his proxy will be considered as representing his flock, in order that the meeting may be as much as possible a representation of the whole Episcopal Church."

The Convention took place accordingly, and was "as respectably and numerously attended as circumstances would admit." Counting proxies, it was found that no fewer than 84 voters were present.[e] After a long address from Bishop Skinner, he and his colleagues were thanked for their efforts in London. "It[f] was next resolved that the Convention should name a Committee, with full powers to manage and carry on the measures still held necessary for obtaining a repeal of the penal statutes, which Committee should con-

d Skinner's "Annals of Scottish Episcopacy," p. 126.
e Ibid. p. 128. *f* Ibid. p. 140.

sist of three Bishops, three Presbyters, and three Lay persons." The members named were:—*Bishops*—Skinner; Abernethy-Drummond; Strachan. *Presbyters*—Revs. John Allan; George Gleig; Roger Aitken. *Laity*—Messrs John Pattullo of Balhousie; John Stirling of Kippendavie; and John Niven of Thornton and Peebles. Though primarily summoned to deal with the repéal of the penal laws, the Convention also took up the matter of Church Finance. "On the second day,[g] Nov. 12th, they took into their consideration the state of the charitable funds belonging to the Scottish Episcopal Church, and finding that by bankruptcies and otherwise they had of late much decreased . . . made choice of five Bishops as trustees for managing these funds."

During the repeated disappointments and the long, weary delay, caused by Lord Thurlow's ignorance and opposition, the Repeal Committee were faithful to their duty. On Feb. 24, 1790, they held a meeting at Perth, at which Bishop Skinner "gave them a detail of an extensive correspondence which he had held on the subject of the proposed Repeal."[h] It was resolved to persevere, and Bishop Skinner and Rev. R. Aitken were authorised to act for the Committee. At last, in 1792, "matters[i] having been prepared for introducing our Bill, into Parliament with some prospect of success, it was intimated as the opinion of our friends in London that one of the Scottish Committee ought to be there, to attend the progress of the Bill through both Houses; and application being made to Bishop Skinner for that purpose, he received a Delegation, signed by the other members of the Committee, empowering him to act in their names, and to take such measures as he might find expedient."

At last, on June 15th, 1792, the Repeal Bill received the Royal assent.[j] What bears upon our purpose is to record that on his return to Scotland Bishop Skinner addressed a circular letter to all the Clergy in the Church, intimating that a second general Convention was to be holden at Laurencekirk on Wednesday, Aug. 22, for the purposes 1st Of

[g] Ibid. p. 140. [h] Ibid. p. 151. [i] Ibid. 188. [j] Ibid. p. 220.

receiving their Committee's Report of the Proceedings adopted in carrying through the Act of Repeal. 2nd Of deliberating on an address to his Majesty. And 3rd Of devising a plan for establishing a fund for the support of the Widows and Children of Episcopal Clergymen in Scotland. "You are also requested to *cause your congregation to choose a delegate* to represent them in the Convention for the purposes aforesaid."[k]. The Convention met in terms of the order given. After an exhaustive speech by Bishop Skinner, the meeting proceeded to approve the conduct of the Repeal Committee, and that particularly in the matter of their having sent Bishop Skinner to London to represent them, and also to thank that Prelate for his labours in connection with the passing of the Repeal Bill.[l] They then proceeded to inquire into the financial aspects of the case, and, discovering that £305 0s 9d had been raised, and only £213 12s expended, they decreed that the balance of £91 8s 9d should be laid out at interest for behoof of the Widows and Children of the Clergy.

So ended the second of these remarkable Conventions. It is quite true, indeed, that on both occasions the Primus was careful to explain that "the[m] Convention being merely of a civil nature, it was to be considered as no precedent for a Synod or Assembly purely ecclesiastical." But, though the meetings were not, technically speaking, Synods, yet they were such as to place the Laity in a very influential position in the management of the affairs of the Church, and, seeing the good which they did, not only towards securing the passing of the Repeal Bill, but in bringing home to the Church the solidarity of all orders within it, it is astonishing that so many long decades were allowed to pass before anything similar was again attempted!

(2.) More than thirty years later no move whatever had been made in that direction. In fact, every memory of such a thing as a Lay Representative seems to have utterly faded from the minds of Churchmen in Scotland. The visit, however, of the American Bishop, Hobart of New York, revived

k Ibid. p. 233. *l* Ibid. p. 255. *m* Ibid. p. 245.

it in 1824. In that year the Rev. John Skinner of Forfar (son of Primus John Skinner; brother of Primus William Skinner, and afterwards Dean of Dunkeld) was attracted by the accounts of Lay representation, which he heard from the trans-Atlantic Prelate. So much was that the case that he determined to advocate its introduction into this country. Accordingly, he published a letter with that object, of which the Rev. W. Stephen gives the following account in his *History of the Scottish Church*[n]:—"Mr Skinner remarked that 'ever since the synod of 1811 the Church as a corporate body had been in a state of total inaction, while every other denomination of Christians in Scotland had been assiduously busy in schemes of self-enlargement. As things are now constituted (he added) we have nothing to interest our Laity, or excite their powerful co-operation. At present they are left in entire ignorance of everything but the right or wrong discipline of their immediate pastor's duty." While deprecating 'lay interference in matters purely spiritual,' he urged that 'lay delegates should be associated with the Clergy in ordinary diocesan synods, and should sit with them in general conventions and be allowed a voice, not only in all matters of temporal concern, but in framing rules of lay discipline.' The church would in this way, he believed, 'be much benefited in matters purely secular by their co-operation, advice, and habits of business.'"

The[o] Clergy of the united dioceses of Dunkeld and Dunblane, indeed, requested the leave of the Bishop (Torry) to meet and discuss this suggestion, and he replied thus:—"This license I freely grant, and I recommend Perth as the most convenient place and the third Wednesday after Easter as the most convenient time." In Perth accordingly, the Clergy, five in number, met and "Some observations on the Address were read by the Dean (Robertson) and by the Rev. J. Buchan, disapproving of part of its contents, as in their opinion encroaching on the inherent and independent power of the Bishops; while the Rev. J. Torry, with due deference

n Vol II. p. 580.
o Neale's "Life of Bishop Torry, pp. 115-6

to the sentiments of his reverend brethren, declared that the tenor of Mr Skinner's circular did not appear to him in the same light as it did to them, viz., as dictating to their ecclesiastical superiors, but merely as suggesting some measures, which, if canonically and legitimately brought about, he thought would be conducive to the welfare and prosperity of the Church. At the same time Messrs Robertson and Buchan, from the explanation, which Mr Skinner gave this day of some parts of his address, were induced to join with Mr Torry in thinking that it was dictated solely by the zeal which Mr Skinner felt for the interest and welfare of the Church. With regard to the remedies[p] proposed by Mr Skinner, the Clergy did not consider themselves at liberty to make any further observations thereon, relying on the wisdom and vigilance of the venerable College of Bishops, whenever they shall be pleased to turn their attention to them."

But Mr Skinner was far ahead of his time, and the universal opinion was expressed in these words[q] of Bishop Torry:—"Many extraordinary communications have I had from Forfar, but I was not prepared to expect that any Presbyter there would convert the visit of Bishop Hobart into an occasion of forming so extravagant an innovation as that contained in this circular!"

[p] His other remedy was Periodical general Synods.
[q] Neale's "Torry," p. 114-5.

CHAPTER II.

Mr Gladstone's Pamphlet, 1852.

Another quarter of a century, and rather more, passed without any further movement. But at the end of that time an agitation at last began, which has lasted from that day to this, and has produced many important changes. Into this long, and sometimes stormy, stream we must now plunge:—

In Jan., 1852, the Primus, the Right Rev. W. Skinner, D.D., wrote the following words[r]:—"The important subject of the introduction of the Lay element into our Synods has already been brought under the notice of our Bishops more than once, as well as of some of our Diocesan Synods, and earnestly recommended to the most serious consideration of their several members." The Bishop of Glasgow (Trower), in his "Pastoral" of 1851,[s] urged that "If ever any such measure should be adopted, it is very desirable that its details as well as its general nature shall have been previously well considered, not under the excitement of immediate pressure, but in the calmness of voluntary deliberation: and it is very desirable also that the Laity should know that, far from yielding to such a measure, an unwilling acquiescence, the Clergy would rather lead the way in proposing it and aiding its efficiency. Commenting upon these words, the *Scot. Eccl. Journal* remarked[t]:—"There can be no question that this is a subject, which ought to be seriously considered by the clerical body without delay." At the meeting also of the Diocesan Synod of Aberdeen[u] on Aug. 6, 1851, "A Petition, signed by two Laymen, was presented by a member of the

r "Advertisement" of W. E. G.'s "Letter to Bp. S."
s S. E. J., 1851, p. 139. t Of July, 1851. u S. E. J., 1851, p. 179.

Synod in reference to the right and privileges of the Laity in the Church's Synodical Assemblies, Diocesan and Provincial, which was received and ordered to be engrossed in the minutes."

This movement in favour of the Lay Claims brought a redoubtable champion into the field—no less a personage than the Right Hon. W. E. Gladstone, M.P. Early in 1852 he addressed a letter to the Primus "On the Functions of Laymen in the Church," and was requested by that Prelate to publish it.

(1.) This celebrated Pamphlet opened with an argument in favour of the *adoption by the State of a neutral attitude* towards all religious bodies; an argument not practically essential to the advocacy of the Lay Claims, which elicited a vigorous counterblast from the Rev. Charles Wordsworth, Warden of Glenalmond.[v]

(2.) Passing on from this more general topic, the distinguished author proceeded to point out that means were at hand, whereby the proposal he was advocating could be effected. "I venture to represent to your Reverence," he said, "and to your Right Rev. and highly esteemed brethren of the Episcopal College that *the means of extension and progress in this matter are possessed* in a high degree by the Episcopal Communion of Scotland. It is not practically galled, at least within Scotland, by the smallest legislative restraint. It is in no way mixed up with any political party. It lives upon terms of perfect good will with its numerous and variegated neighbours. It has a ruling body strong in the respect and attachment of its members; strong in historical descent; strong in the remembrance of a long period of depression and proscription not ignobly borne; strong (I waive descanting on personal qualities) above all in the conviction of the society that those, who bear rule within its pale, bear rule according to the word of Christ and the tradition of the Apostles."[w]

(3.) After enlarging on the beneficial manner, in which a

[v] "A Letter to W. E. G." Parker, Oxford, 1852; see also S. E. J., 1852, p. 110
[w] W. E. G.'s Pamphlet.

combination of freedom and authority sustain and strengthen one another both in the State and in the Church, he went on to cite *certain precedents* in favour of granting the Lay Claims. In doing this, he excused himself from "going back to early precedent either in the Acts of the Apostles or in the ordinary law or usages of the Church,"[x] and confined himself to principles drawn from the Reformation and instances from the American and Colonial Churches.

(4.) But, should "the alarms of the timid and the reluctant" cause them to shrink from following the precedents adduced to them, he presumes to say:—"As[y] the spirit of wisdom will not permit the wilful acceleration of a crisis, so, when the crisis has arrived, futile efforts at procrastination can only purchase a miserable, momentary respite at unbounded cost, and *the path of safety lies only through a tempered and calculating boldness.*"

(5.) But from what evils was it that the admission of the Laity into the ecclesiastical assemblies was to save the Church? *What advantages was it to bring her?* He specified several:—(1) He noted[z] that "the spirit of corporate religion; the appreciation of Church policy as a channel and engine of spiritual good is, among our Laity, lower than in other religious communions around us." Outward visible signs of this low tone of life were such as these:—"The mean provision generally made among us for the support of our Clergy, and especially our Bishops; for the fabrics and furniture of our Churches, and lastly for the instruction of the children of our poor." And he went on to say:—"I feel a strong conviction that every one of these blots would be removed, and that speedily, from our escutcheon, when a more intelligent and *more active spirit of Church membership* should have been matured among us by the serious, regular, and authorized discharge of important functions appertaining to us as the Laity of the Church."[a] (2) He complained that, "among us, law, method, and *constituted order* do not afford the aid, which they might and ought to afford, to the individual in any one of our ecclesiastical

x Ibid. p. 19. *y* Ibid. p. 21. *z* Ibid. p. 23. *a* Ibid. p. 24.

ranks towards the knowledge of his duties or of his rights." Theoretically the Clergy were supreme as being sole legislators in the General Synod. But practically "this excess of power of the Clergy is inconveniently, rudely, and dangerously balanced by the dead weight of indifference and phlegm, and likewise by another excess of power in the Laity." That "other excess of power" was the autocratic authority assumed by rich men and local potentates upon Vestries. A constitutional representation of the Laity, he thought, would redress the balance of power. It would practically strengthen the hands of the Clergy, and, "while[b] the legitimate sphere of recognised privilege, and of recognised duty along with it, will be enlarged for the Laity, any opportunities for the abusive employment of the power of wealth over poverty will be diminished by the extension and consolidation of our representative system." (3) He next adverted to the *exercise of discipline*. "Two things," he said,[c] "appear to me essential to a good administration of Church Discipline. The first is that the Laws themselves should be based upon general consent; the second is that the mode of their administration should be hedged in with best securities against abuse; such as strict regularity and, on every due occasion, publicity of procedure." And he added:—"For all this a full and free Synodical Government is surely requisite in a Church like ours." "Its strength can from no possible source be obtained for our system, except from general and solemn consent, embodied in the form of law." He then went on to point out[d] the inadequate support the present system secures "for a Bishop, when engaged in the legitimate exercise of discipline. In his dealings with a contumacious Clergyman, he must proceed as best he can." How much better it would be instead of leaving him to encounter such cases single-handed, "to insure him more uniformly, and in more active and lively forms, that sympathising support from the members of their communion generally which the public and authoritative acts of our Spiritual Fathers ought obviously to receive." (4) Coming

[b] Ibid. p. 27. [c] Ibid. p. 28. [d] Ibid. p. 29.

to the question of *Ritual*, especially in view of the discussions which it has caused, he remarked:—"My[e] suggestion is that the Clergy may most advantageously take counsel with their people, as members of a Christian Church, according to the principles of a sound ecclesiastical constitution, on matters like these; and that such counsel and its results will be found an admirable specific for the practical solution of the question."

He concluded this enumeration of the evils to be removed and the advantages to be gained through a system of Lay representation on the Synods, with the following[f] eloquent *appeal*:—"If it be the Divine Will that your Reverence should, as our Primus, inaugurate amongst us a representative system, and if, with the other Right Rev. Fathers of our Church, you call upon your lay flocks to communicate and advise freely with you, and to strengthen your hands for the work of the Ministry, then your name and the names of your brethren will be remembered among us in connection with a noble epoch of restoration and revival, a great ingathering and edification of Christian souls!"

(6.) But, before concluding, he asked:—"[g]*How are we to prevent the liberty* (which I am advocating) *from deviating into licence?* To this question he *first* gave a general answer:—"I am far indeed from proposing that the Church should be democratically organised: for, whatever man may choose to ordain or adjust about chambers and branches and the like, must of necessity be for ever and wholly subordinate to the unchangeable condition of her Divine Charter." And *then* one of a more particular kind:—"I will, therefore, Right Rev. Bishop, state in few and simple words what I humbly believe would be found at once a free, a vigorous, and a safe form of constitutional organ for the Scottish Episcopal Communion." This sketch, in an abbreviated form, is as follows:—"1st, That the Synod or Assembly for Legislation should consist of three houses or chambers; the first, that of the Bishops; the second, that of the Clergy; and the third, that of the Laity." 2ndly, "That the Lay Represen-

[e] Ibid. p. 32. [f] Ibid. p. 33. [g] Ibid. p. 33.

tative system should be based exclusively upon an ecclesiastical qualification, and not upon a pecuniary franchise in any form—in other words, that communicants only should be either eligible or electors." 3rdly, "That the mode of procedure should not be to constitute arbitrarily, so to speak, a central organisation before providing local institutions fitted to give it a broad and solid groundwork, but to take the local institutions first. . . . The body issuing, or giving power to issue, the invitation, and thus setting the new machinery in motion, must, I presume, be the General Synod according to its present constitution." 4thly, "The initiative of all legislation should rest with the Bishops absolutely and exclusively, and that it should be competent to either of the other chambers to approach them spontaneously in the way of petition only. Their *veto* would, of course, remain complete."

(7.) "And now, finally," he asked,[h] "should the Scottish Episcopal Communion, in the persons of its Bishops, proceed to *deliberate forthwith* on this weighty subject, *or should they wait* to be led by other Churches of the Anglican origin or Communion?" "Right Rev. Sir, after a long and anxious observation of the condition of these Churches, I venture unhesitatingly to assert that it is not for you to be their debtors or followers in such a matter, but for them to be yours: and that, had they possessed anything like the facilities and means of action, that happily belong to you, they would not now have been expressing their desires, but exhibiting finished results!"

(8.) And he concluded with this *expression of hope*[i]:—"I, for one, am fondly perhaps, but yet firmly, assured that on the day when our Bishops shall be bold to shew their confidence in their own position, and in the vital energies of their Church, by propounding a measure which must tend, first, searchingly to test, and then powerfully to invigorate and multiply those vital energies, they will strengthen many a weak hand, confirm many a feeble knee, chase away the

[h] Ibid. p. 36. [i] Ibid. p. 38.

gloom from many a desponding heart, breathe the new life of hope into spirits, that have flagged under accumulating misfortune, stir up many a voice of joy and health and thankfulness to God, from the dwellings of the righteous, and quicken the footsteps of them that tread, or that ask, the way to Zion, with their faces thitherward!"

CHAPTER III.

General Discussion, 1852.

Such a Pamphlet coming from such a source could not fail to stimulate discussion, and, as a matter of fact, it received the greatest attention.

I. In the same year in which it was published (1852), it elicited another "Letter" to the Primus.[j] The writer of this veiled his identity under the *nom de plume* of *Cautus*. The assumed name was significant. His conservative instincts were alarmed at the proposal to admit the Laity into the Synods of the Church:—

(a) He began his Pamphlet with a tribute[k] to Mr Gladstone as "A Christian Statesmen, whom a very profound knowledge of human nature in general, and a constant collision with the world in its most practical aspects, have not influenced in the direction of a neglect of the supernatural truths of Religion." But he pointed out that the very fact of his being a Statesman had led him to "stake the question upon its *expediency*."

(b) But, before coming to consider that aspect of the case, Cautus had a few words to say. He asked leave of the Primus to remind him that the introduction of the Laity into our Synods would, in the first place, be "a second reformation,"[l] and he added:—"We cannot tell what are to be the *consequences* of a change of principle." He thought they would be at least as great as those, which followed from the rejection of the Papal and the recognition of the Royal Supremacy in the 16th century. He thought[m] it would be the condemnation of the principles, which guided the English, and the endorsement of those, which inspired the Scottish,

j "A letter to the Right Rev. Father in God, Wm. Skinner, D.D., Bishop of Aberdeen and Primus." Edin.: Lendrum, 1852.
k Ibid. p. 3. *l* Ibid, p. 4. *m* Ibid. p. 5.

Reformation. And he had another, somewhat notable, preliminary remark to make. It was this:—"*The secular part of Religion is very deteriorating*. The Clergy have unfortunately to go through this, and do not escape without contamination; but I can conceive nothing so ruinous to a devout Laity as having to be mixed up in the different questions which agitate the Church."

(c) But all that was by the way. "Your Reverence[n] has to look upon the question as a matter of *principle*. The first question that comes before the Scotch Bishops is, is it *right* to admit the Laity to our Synods?" And to this question he gives a distinct negative by way of answer. "All ecclesiastical rule and authority on earth is a direct delegation from the Manhood of our Holy Lord Jesus Christ." "From this Man all authority and all power have been given to the Clergy of the Church." And he went on to point out that "this idea of direct delegation from the one Person of Christ . . . runs strangely through ecclesiastical ordinances. We never see responsibilties committed to a board: the Laity are intrusted to a single Curate." "The theory[o] of God's government of His Church is to carry out to its greatest intensity the idea of personal responsibility." He then touched upon the case of the first Council of Jerusalem in Acts xv.: the position of the Emperors, which he argued was "a deteriorating influence," and the mixed ecclesiastical and secular assemblies[p] in Anglo-Saxon times, maintaining that in these the Laity were present "only to give a civil, not a moral ratification to the Synod."

(d) Having thus settled the matter of principle, he concluded with pointing out the *inexpediency*[q] of the proposed step. (1) Inasmuch as the Romanists, who do not admit the Laity, are very active, he denied that greater ecclesiastical activity, such as was desired, would result from admitting the Laity into Synods. (2) "Mr Gladstone says that he supposes the low tone of spiritual life to be the source of our prevailing evils, but, if it be so, how is the admission of the Laity into Synods to cure it?" (3) "To[r] make

n Ibid. p. 6. *o* Ibid. p. 7. *p* Ibid. p. 10. *q* Ibid. p. 11. *r* Ibid. p. 12.

changes in our present dead state would be very dangerous." (4) "The present Canons would be manifestly inadequate to meet the flood of executive work that would flow in upon us. What further Law would be accepted?" (5) "Is[s] a Synod of Lay people likely to judge wisely concerning doctrine?" (6) "If[t] it be said they shall not judge of doctrine, as not being their province, who is to draw the line between discipline and doctrine, and where can it be drawn?" (7) "What class of men are we in general likely to have as members of Synod?" "Retired tradesmen, half-pay officers, younger sons of the better families would be natural constituents, did it not fall into the hands of the richest members of each church." (8) "How[u] would the civil Power regard synodical decisions carried on by an admixture of Laymen?" In conclusion, he said:—"We are too much inclined to imagine that a great change like this will form a panacea for all our evils!"

II. As was naturally to be expected, "Cautus" was not the only person to publish criticisms of Mr Gladstone's Pamphlet. Another review[v] of it speedily appeared in the *Scottish Ecclesiastical Journal*:—

(a) *The Reviewer* remarked first that the fact that "the distinguished Author" had addressed the Scottish Primus in such a manner was "no small token of the filial affection which he bears to the Church of his native land."

(b) The general tenor of his criticism was extremely favourable. "We[w] feel deeply grateful to Mr Gladstone," he said, "for having applied his powerful and accomplished mind to this subject, and we are enabled for the most part cordially to coincide with the views which he has propounded upon it."

(c) With the earlier part of the Letter to Primus Skinner, advocating the religious neutrality of the State towards the religious bodies with its bounds, he could not agree.

(d) But, coming to the details of his argument in favour of the admission of the Laity into the Scottish Synods, he

[s] Ibid, p. 13.
[t] Ibid. p. 14. [u] Ibid. p. 15. [v] S. E. J., Feb., 1852, pp. 26-30. [w] Ibid. p. 26.

finds himself for the main part in cordial agreement with it. His views on each head of the argument are as follow :—

(1) With Mr Gladstone's remarks that the proposal is in accordance with the spirit of the Reformation he agreed.[x] (2) As regards the appeal to the example set by the American Church, he said:—"The example of our American brethren becomes both our *encouragement* and our *warning*. It *encourages* us, inasmuch as it shows us how safely and beneficially the abstract principle of Lay co-operation may be put into practice; and it *warns* us that, with their experience to guide and without their difficulties to embarrass us, we must aim at something more perfect than they were able to attain." (3) He agreed with Mr Gladstone on the point that "the position of our Communion offers peculiar *facilities* for making this change." (4) He quite coincided with the view that the low *tone* of our spiritual life, not, indeed, as individual Christians, but *as a corporate body*, would be improved by the admission of the Laity into the Synods. "They progress," he said, "which is even now being made under a system, which leaves the Bishops and Clergy to work too much without lay co-operation, affords the best hopes that regular lay assistance would accelerate the process of amelioration." (5) As for Mr Gladstone's remark about "the general ignorance among Churchmen in a practical form, of *the respective rights and duties of Clergy and Laity*," he admitted that "the effect of this too frequently is to create on the one side distrust and apprehension, and a desire to grasp irregular power (as in Vestries) and even resistance and defiance; and on the other side, timidity, loss of proper influence and abandonment or destruction of authority." With Mr Gladstone he "therefore looked forward to the re-constitution of our Church Councils for a large increase of mutual love and reliance." (6) "Mr Gladstone further desires and anticipates from the presence of a Lay element in our Synodical system the real and effective exercise of *discipline*." With this the Reviewer entirely agreed. (7) Proceeding now to the actual "*scheme*

[x] Ibid. p. 27. [y] Ibid. p. 28.

of organisation suggested by the distinguished Statesman," upon the whole the Reviewer heartily accepted it. He doubted,[z] however, whether it would be wise to admit the Laity into Diocesan Synods, and was in favour of throwing open the general Synod to them. (8) With regard to *the starting of* the scheme, he had an idea, which he preferred to that of Mr Gladstone. "The present general Synod to frame a constitution, the skeleton of which being the embodiment of essential fundamental principles, to be held as final; but the minor details to be provisional only, and to be finally adjusted by the Synod, when assembled upon its broader foundation." (9) "With regard to the *qualification for lay electors* and representatives we confess that we have the strongest possible objection to the adoption of any but such as shall at once be wide in its operation and purely ecclesiastical: e.g., that none but Communicants shall vote or be eligible for election." (10) "To Mr Gladstone's leading proposition—the division of the new organ into *three chambers*—we are also disposed at present to demur. The separation of the House of Bishops is, of course, proper and needful. But we can see no ground whatever for separating in *deliberation* [*voting* was a different matter] the Clergy and Laity." (11) The reviewer then went on in a valuable passage, too long for quotation, to point out that the greatest advantages to be derived from the admission of laymen into Synods will arise out of the closer union of interest between the Clergy and the Laity."

"Such," he concluded,[a] "are some of the reflections, which have occurred to us on perusing Mr Gladstone's able, interesting, and instructive pamphlet."

III. But the critics of Mr Gladstone were themselves themselves liable to criticism, and *Cautus* at least came in for his share of it. He was indeed scarcely a match for the great Statesman. *The Scottish Ecclesiastical Journal*[b] seized his weak point when it said:—"He is not only *cautus* but *ingenti trepidans metu*; and though true it is that fools

z Ibid. p. 29. a Ibid. p. 30 b S. E. J., 1852, p. 65.

rush in where angels fear to tread, we certainly do hope to find in those, who are to canvass the constitution of our Synods and afterwards shall sit in them, considerably more *nerve* than *Cautus* displays."

IV. *A.E.*[c] also dealt with the Pamphleteer's arguments at length:—(1) As for his contention that the admission of the Laity would be "a second Reformation," he maintains first that "the practice in bye-gone times" was not so completely in favour of their exclusion as *Cautus* imagined, and secondly he denies their admission would "produce the fatal results which *Cautus* anticipates." (2) As[d] to "the corrupting influence of such business being ruinous to the Laity," he maintains that it is their *not* taking part in such business that is ruinous to them. (3) *Cautus* had declared that the admission of the Laity would be a violation of Scripture and ancient principle, but A.E. opposed another principle to this, i.e., that of Hooker, who said—"Of this no man doubteth that in all societies, companies, and corporations, what severally each shall be bound to, it must be with all their assents ratified"; and, A.E. adds, "if the precedent of the first ages is to be binding, why are the Laity now cut off from the privilege, which they then enjoyed, of having a voice in the nomination of their Bishop?" (4) "But the admission of Laymen would not, says *Cautus*, form a panacea for all our evils." "Certainly not," admits A.E., "but one evil, and that no small one, might be reached, i.e., the practical paralyzation of one great limb of the Church." (5) "*Cautus* resists the measure likewise on the ground of expediency, saying it would be an empirical attempt to increase our efficiency." Answer:—"That some good, however, would be gained there can be no doubt." (6) *Cautus*[e] had feared that the wrong kind of Laymen would come forward. A.E. hopes that the right kind would volunteer.

After some more confutation of *Cautus*, A.E. thus concludes:—(7) "I nevertheless admit that the introduction of the Lay element is a matter that ought to be approached in a cautious spirit, and be carefully and dispassionately sifted.

c Ibid. p. 84-5-6. *d* Ibid. p. 85. *e* Ibid. p. 86.

Fortunately, it rests in the hands best qualified to deal with it. If the Bishops resolve to make the proposed change, I have every hope that it will prove a great benefit to the Church. If they do not, I, for one, shall be content to submit: only let their Reverences bear in mind—what must, I think, be the *necessary result* of such a decision—that the present apathetic indifference of the Laity will *not merely continue*, but will *justify itself* on the ground that their admission into Synods has been considered and deliberately rejected, and that a more vital connexion with their Church, as a body, is neither asked nor expected."

However, although *Cautus* must be admitted to have come off second best in the controversy, he had made a contribution of distinct value to the discussion. Mr Gladstone and the others, though taking a rapid glance at the question of principle as derived from Holy Scripture and the practice of the Ancient Church, had substantially based their position upon *expediency*. On that footing they had made out a very strong case. But evidently, according to the teaching of the Scottish Episcopal Church, so grave a step as the admission of the Laity to the Synods, ought not to be taken without a thorough investigation of the question of principle. This was the valuable contribution of *Cautus* to the controversy.

V. Another now came forward to give this point fuller development than he had been able to accord to it—i.e., *Anglo-Scoto-Catholicus* in a long letter to the *Scottish Ecclesiastical Journal*.[f] (a) He began by asking the following pertinent *question*:—"Are we prepared to innovate upon what had been for eighteen centuries the universal practice of the Church, till a Church formed under peculiar difficulties and which rejects the Athanasian Creed, set an example to the contrary?" (b) The general *answer*, which he immediately gave to his own question, was also worth attending to:—"If we are not, then, I apprehend, our precedents will carry us no further than to throw our Synods open to the presence of Laymen, and on special occasions to *invite* their presence, but their presence only. And in that case all the

[f] S. E. J., 1852, pp. 83-4.

arguments, which we have heard from expediency, which would press for more than this, and the weight of which no one, I think, can deny, must be diverted into some more legitimate channel: nor should I despair altogether of finding such a channel for them—if not in the restoration of really primitive practices (e.g., the confirmation by the Laity of elections to our Bishoprics), at least in fresh developments of our Church Societies." "Let Laymen have their *right* (which is, I believe, to be present without restriction at all our Synods), and the *right* will be found, I cannot doubt, in this as in every case—*the expedient*." Thus, while he did not meet their claims with a *non-possumus*, being prepared to grant them the right to be present in Synods, and to take part in the election to Bishops, he was yet opposed to giving them a vote in Synod. (c) And the value of his contribution consisted in the fact that he endeavoured to *support his views by considerations drawn from the principles enunciated in Scripture and Antiquity*.

(1) His first argument took the form of a long quotation from Sclater, the Nonjuror's, "Original Draught of the Primitive Church" (1717),[9] who summed up his investigations into the ancient position of the Laity in Councils thus:—"We neither meet with the name nor notion of *Lay Representatives* in any Synod of the Primitive Church, nor any footsteps of a claim of right, pretended by the people, to sit and act in the Councils of those times: nor so much as a single Father bearing witness to any such *right* invested in them, but barely read that in some particular Councils *Lay Brethren* were *present*." (2) With regard to the Jerusalem Council of Acts xv., he quoted from Bishop Bilson and Dr Brett, the latter of whom explains the presence of the Lay Brethren there thus:—"They were allowed to be present at the debate, that by seeing and hearing the grounds, upon which the Synodical resolutions were framed, they might be satisfied of the justness of them." He also quoted Archbishop Potter in this connection, who says:—"It is manifest that, though the people were allowed to be present, yet the

[9] Ibid. p. 84.

Apostles and Elders are described as Principals in this whole affair." And again:—"If we leave out the conjunctive particle, *and*, in the Epistle, wherein the Decree is contained, it will run in the name of the Apostles and Elders—brethren, that is, *Christian* in opposition to *Jewish* Elders and other Elders and Rulers." (3) Dealing with the case of our own forefathers' practice, he quotes from Dr Hody's *History of Convocation*, to the effect that the most ancient Synods of this realm were held after the manner, in which Dr Brett has proved them to have been holden in the Primitive Church, viz., *by the Bishops and Presbyters in the presence of the People*. (4) Upon Hooker's principle, "Qod omnes tangit, ab omnibus tractari et approbari decet," he remarked:—"There are also very considerable appearances of the MS. having once been in the hands of the Puritans," and "that it was not published till 62 years after the Author's death."

CHAPTER IV.

The Resolution of the Episcopal Synod, 1852.

I. Hitherto the movement had been of an unofficial character, and the Church had done nothing through its authorities to confer any powers upon the Laity, unless the commendation of Mr Gladstone's *Letter* by the Primus could be considered an official act. But the heads of the Church now took an important step, which put a new complexion upon the crisis. "On[h] Apr. 20th an Episcopal Synod was holden at Edinburgh, when there were present the Right Rev. the Bishop of Aberdeen, *Primus* (W. Skinner), and the Bishops of Edinburgh (Terrot); Argyle (Ewing); Brechin (Forbes); Glasgow and Galloway (Trower); and Moray and Ross (Eden). The Bishop of St. Andrews (Torry) was prevented by extreme infirmity from attending. The following resolution was passed by the Synod:—"*That the admission of the Laity into Ecclesiastical Synods under certain conditions, and to speak and vote therein on a large class of ecclesiastical questions, is not inconsistent with the Word of God and is not contrary to that pure Constitution of the Church, to which it has been the special privilege of the Church in Scotland to bear testimony.*" It was thereafter resolved:—"*That a copy of the Resolution should be transmitted by the Right Rev. the Clerk of the Synod to the Deans of the different Dioceses for the information of the Clergy.*

Although a resolution of the Episcopal Synod did not carry the force of law, yet such a finding was the greatest move possible on the part of the Church in the absence of a general Synod.

II. The following Article from the *Scottish Ecclesiastical Journal* will shew with what feelings this important declaration was hailed:—(a) "The[i] movement towards the restoration

h S. E. J., 1852, p. 112. *i* S, E. J., 1852, p. 97.

and reconstruction of Ecclesiastical Synods is, in several respects, a striking and encouraging feature of contemporary Church history. Its existence betokens an earnestness of purpose and a practical zeal in the Church's cause, which are of themselves of the highest value. It is no *party* question, but receives support from men of every shade of opinion as a useful reform in which all have a common interest. The growing conviction in its favour is not confined to one or a few places, but extends to every portion of the Reformed Catholic Church. Its advocates have uniformly acted with moderation and prudence in its behalf. And it appeals with a healthy spirit to ancient practice and constitutional rights. No one can regard such a movement without a deep interest in its mere philosophical aspect; while, by Churchmen themelves, its course must be viewed with surpassing anxiety and hope. With these latter feelings we have watched its progress from the commencement, and have felt less surprise at its steady rate of advance than satisfaction at the free discussion of its merits, which has all along been coveted and provoked. The deliberation and calmness, with which the subject has everywhere been treated, is the best human security that each step will prove a solid gain, and that the issue ultimately reached will be such as is consistent with truth and right.

(b) The past month has been marked by some events, which are no inconsiderable *indications of the progress*, which this movement has made, and may even be regarded as in some degree significant of what its ultimate issue will be. We purpose briefly to refer to these events—especially such as more immediately concern ourselves.

In *England*, then, we find that there has been held another series of *public meetings*, which originated at Derby last year. This time the assembly was at Gloucester. . . . On the same day by a happy coincidence Mr Gladstone introduced into Parliament a *Bill for enfranchising the Colonial Church* in matters of internal government. . . . And almost within the same period, if we mistake not, two devoted and highly esteemed *Colonial Bishops* have

arrived upon our shores, mainly for the purpose of urging upon the British Government the *concession of Synodical rights* for the distant dioceses of our Communion. In each of the instances referred to, the propriety of admitting the Laity into Synods is taken for granted, and the scheme includes their admission. Now, these incidents, though not indeed the trophies of victory, may be surely regarded as something like the auguries of success. . . .

Here in *Scotland*, where we already possess Synodical action, but its condition is on all hands admitted to be imperfect, the past month has been one of unusual importance and advance. Two ecclesiastical occurrences have taken place, by which the question of Synodical reformation is not only now presented for formal consideration, but comes before us sanctioned by opinions, which are entitled to our deepest reverence."

The Episcopal Synod of Apr. 20th and its resolution are then described and the writer proceeds:—

"The Episcopal Synod have thus deliberately declared that, in their opinion, the Lay element in Synods is neither unlawful to us as Christians, nor unconstitutional to us as Scottish Churchmen—the privileges of the Laity in Synod being properly restricted by certain conditions and to certain questions. Our Right Rev. Fathers, dealing in the first place with the preliminary point of their own *authority* and that of the Clergy . . . to admit, *to any extent*, the Laity to participation in ecclesiastical duty, whether legislative, judicial, or elective, have wisely confined their present attention to this single proposition. The *degree* of participation in Synodical functions, to which it may be allowable, and, if allowable, safe, to admit laymen, will, if need be, form the subject of future deliberation, and be likewise decided, we doubt not, with wisdom as well as in conformity with Scriptural rule and Apostolic usage. In the meantime, the importance of the Episcopal primary resolution can hardly be over-estimated. In itself it is an event of the gravest moment: while, looking to its probable results, it may be viewed as a considerable step in advance. Not only does it

imply a clear admission that the subject demands the instant and best attention of the Church, but it goes far to remove obstacles to its favourable reception. It now rests, indeed, with the Clergy in our several Dioceses to consult with their respective Bishops and to submit their collective opinions to the Episcopal Synod; but meanwhile we are entitled to expect that the resolution of the College of Bishops will prove satisfactory as to the right of the Church to admit Laymen into Synods, if such admission should be deemed desirable.

(c) But let not the true *scope and value of this resolution* be misapprehended. When properly considered, there will be found on the one hand, no ground for anxiety on account of the extent, to which it proceeds: while, on the other hand, if any persons, through too great eagerness, should stretch the document beyond its reasonable import, or attempt to wrest from it an argument, which a fair reading of its words does not support, the only result will be to weaken its moral force.

What, then, has really been done by the Episcopal Synod, and what still remains to be done?

The Resolution seems to us to be simply *a declaration of the opinion* of the Right Rev. Synod upon this elementary question:—Is the Church *precluded* by Divine law or constitutional principle *from entertaining* the proposal to add a Lay element to her Synods, even if this addition be made under proper conditions, and only in regard to subjects, from which Laymen are not clearly excluded? It is a mistake to imagine that anything is *decided* by the Resolution in the sense of its being an authoritative and final sentence. The Synod being of opinion that the proposal is not radically unlawful, have recorded their opinion and transmitted it to the Clergy, with a view to invite their attention to the subject. This appears to us to be the sum of *what has been done* by the Episcopal Synod.

(d) Next, *what still remains to be done?* Doubtless the same elementary question will be anxiously considered by the Clergy acting in Diocesan Synods along with their respective Bishops: and, assuming that the result of their

deliberations shall be similar to that of the Episcopal Synod —that it is *not unlawful* to admit Laymen into Church Councils,

First, The question will occur, Is it *expedient* to admit them, *having regard to the circumstances* of our ecclesiastical system and the present qualifications of our Laity?

Secondly, If this query be answered affirmatively, then will come the consideration of the *conditions* under which, and the *questions* in which, Lay discussion and votes may *lawfully* be permitted.

Lastly, The inquiry will have to be made, whether it is *expedient* to admit the Laity *simply on the conditions*, on which Scripture and Antiquity shall be found to demand, and to speak and to vote on all questions, from which the law of the Church Catholic does not positively exclude them.

Not until the subject has undergone a scrutiny upon all these successive points on the part both of our Bishops and Clergy, will it be *decided* that Laymen shall enter Scottish Synods. And in the same conditions and deliberate spirit, in which the subject has already been approached by the Episcopal Synod, we doubt not it will be considered throughout. No one can fail to be deeply impressed—and least of all our Right Rev. Fathers—with the vastness of the alterations involved in the proposal, and the heavy responsibility resting upon those, who originate or sanction it. Especially do we feel assured, that, if it be finally resolved to admit Laymen to Church Councils, the Right Rev. rulers of the Church will take the utmost care to prevent, by every means in their power, any danger from arising to the sacred deposit of Evangelical Truth and Apostolical Order, which, under God, is entrusted to their sole custody."

CHAPTER V.

The Resolutions of the Diocesan Synods, 1852.

The writer of the Article, which we have quoted almost at full length in the last chapter, alluded to "two ecclesiastical occurrences" as having recently taken place in Scotland. The first of these was the Episcopal Resolution: the second was the Bishop of *Edinburgh's* (Terrot's) *Charge* to his Diocesan Synod.

A. This the Editor "hailed as the earliest instance, in which a Prelate of our Northern Communion has officially addressed his Clergy, expressing his firm opinion in favour of the *lawfulness* of Laymen having a place in Synod, *but* suggesting some very pertinent considerations regarding the *expediency* of such a change in our system." It will therefore be to the point to give here a bird's-eye view of so much of the Address of this clear, logical, and vigorous-minded Prelate, as bears upon the question, with which we are dealing:—

(1) The first question, which he asked,[a] was:—Is the admission of Lay Representatives into our Church Courts *permissible?* His answer runs along the following lines:—"Under this question we have to consider whether from the notices we possess in (a) *Scripture*, and in (b) the earliest *Ecclesiastical History*, we ought to conclude that the power of legislation and government in the Church was originally, and by Divine authority, committed exclusively to persons in Holy Orders, or whether the Laity did or might exercise a portion of that power for anything, which appears to the contrary."

(a) "Now, the notices in *Scripture* of anything like Synodical action are neither numerous nor precise. They are as follows: "Acts i. 15-26, Where the whole assembled

[a] S.E.J., 1852, p. 99.

brethren cast lots for a successor to Judas. Acts vi. 1-4, Where the election of the Seven was made by the brethren; the Ordination by the Apostles. In Acts xi., on S. Peter's conduct in the matter of Cornelius being questioned "by the Apostles and Brethren in Judea," this "very high ecclesiastical officer" appears to have made his defence "to the Apostles and Brethren." As to Acts xv., the Council of Jerusalem, "allowing that the received reading of v. 23 is not undisputed, still there can be no reasonable doubt, after a fair consideration of the whole narrative, that the brethren, that is, the Christian Laity, sat in the Apostolic Council, with an admitted right to deliberate and vote."

(b) *Ecclesiastical History*. Here the Bishop takes up the case of Cyprian, and as a Scottish Churchman refers to *Bishop Sage's* great work on this period, and is obliged "to confess that the authority of that great man is against me." He therefore enters at some length into a confutation of Bishop Sage, and ends by referring to the 43rd and 64th Epistles (Ed. Oxon:), which, he thought, proved distinctly that S. Cyprian admitted the Laity to have a share in Ecclesiastical Councils, both *de facto* and *de jure*."

"If[b] you have any farther doubts, brethren, on this subject, I would refer you to the long list of authorities given by *Bingham* in Book IV., chap. 2; and all that I would infer from either his quotations or my own is that, when we take up the question, whether we shall admit the Laity into our Ecclesiastical Councils, *we are not to suffer ourselves to be stopped at the outset by the unfounded assertion that neither Scripture nor Ecclesiastical History affords any authority for such mixed government in the Church.*"

(2) "But, supposing you are satisfied on this head, there remains the important enquiry whether this lawful scheme be also *expedient*. And the expediency of the scheme seems to me to rest upon this, whether the minds of the Laity are so prepared and disposed as that we could reasonably calculate upon obtaining the services" of the best kind of Laity. Of this he expressed himself very doubtful, and his practical

b Ibid., p. 100.

conclusion was that in the meantime they "*ought not to hurry on a decision, for the execution of which the minds of Churchmen are not yet prepared.*"

B. The above Charge was delivered in the Annual Diocesan Synod of 1852, and *the Synod* did not discuss and vote upon the resolution sent down from the Episcopal College till their next meeting (April 6, 1853), but this seems the suitable place for giving the final result of their deliberations. It was as follows:—

(a) "That,[c] having weighed what has been advanced in favour of such admission, and also what has been urged both against the principle and against the expediency of such a measure, the *Synod of Edinburgh*, whilst they deem it needless to enter upon a deliberation of the question at present, would at the same time express their conviction, that the suitable place for considering the subject would be in a General Synod: and they venture to express a hope that, whenever such a Synod shall be summoned, the first question brought before it for deliberation shall be the future constitution of all our ecclesiastical Synods, and that there shall be a full and careful examination of the question as involving the use to be made of the Lay element in discussions and enactments on points, which concern the welfare of the whole Church."

(b) The annual Synod[d] of *S. Andrews, Dunkeld and Dunblane* took place at Kirkcaldy on June 16th, 1852. After prayers in the Church, the Clergy assembled in the Vestry, when, in the unavoidable absence of the venerable Diocesan (P. Torry), now in his 89th year, the Synod was duly constituted by the Dean (J. Torry). After transacting some other business, the Synod took up the question of the admission of Laymen into the Synods of the Church. On this question the Warden of Glenalmond (Rev. Charles Wordsworth) moved a double resolution and read an address, which the Synod requested him to publish.

That address[e] was to the following effect:—

He pointed out that the Resolution sent down from the

c S.E.J., 1853, p. 90. *d* S.E.J., 1852, p 163..
e Lay Membership in Church Synods. London: Rivington, 1852.

Episcopal Synod spoke somewhat vaguely of "Ecclesiastical Synods," and said, "Now,[f] the Synods at present recognised by this Church are of three kinds: *Diocesan*, *General*, and *Episcopal*." To which did the Bishops refer? (1) "It is not, I conclude, their intention that Laymen are to sit and vote on a large class of Ecclesiastical questions in *Episcopal Synods*. The very name forbids such a supposition." (2) "Nor,[g] again, can I suppose them to affirm this with reference to *Diocesan Synods*. . . . Let[h] us see what the true theory of a Diocesan Synod is. It is, *to be the Council of the Bishop*." The Clergy "were[i] not merely ministers or servants to the Bishop and the Church, but had also a share in the government and oversight of it, though subordinate to the Bishop, and were his councillors and assessors, without whose advice and consent he neither made rules or canons for his Church; nor inflicted censures; nor disposed of the Church revenues; nor ordained Presbyters." "But[j] extend this to the proposal, that is now made on behalf of Laymen, not only to be present, but to form a constituent part of the Bishop's consistory, with authority equal to that of the instituted Clergy, and what shall we say then?" That it was utterly incompetent. . . . This[k] is the great objection, which I feel against the proposed change as regards Diocesan Synods." (3) Coming now to the case of *General Synods* he first read as a preliminary a letter from Bishop Torry, in which that Prelate begged leave, "as a *very old* man to claim exemption from giving an opinion," but nevertheless added:—"I[l] am not satisfied with Mr Gladstone's argument, which seems merely grounded on the expediency of his proposal. Any alteration of our system, unless grounded on *Scriptural Principle and Truth* would be found ultimately to be injurious, rather than beneficial, to us." Returning to the thread of his own argument, Mr Wordsworth said that "the Resolution of the Bishops appeared to him to be a very dangerous one." This he proceeded to shew *first* from Holy Scripture. The Bishops had said[m] that the proposal was "not inconsistent with the Word

f Ibid. p. 6. *g* Ibid. p. 7. *h* Ibid. p. 8. *i* Ibid. p. 10. *j* Ibid. p. 11.
k Ibid. p. 12. *l* Ibid. p. 18. *m* Ibid. p. 19.

of God." "But the only direct precedent, which it affords (Acts xv.), is, I must be allowed to think (in company with a host of our most learned authorities), not in favour, but decidedly against it. I need not go into the particulars of the passage,[n] which is familiar to us all. But I may observe that the very phrase, which is appealed to in favour of Lay suffrage on the occasion, is to my mind conclusive on the other side: I mean the words, 'With the whole Church.' Granting, what is by no means clear, that these words refer to what actually took place at the Council, . . . it is certain that all the Lay members of the Church at Jerusalem could not have been present,[o] . . . so that the words, if taken literally, prove too much: they can only therefore be understood, *not of an express vote*, but of a *general concurrence* on the part of the Laity." *Secondly*, the Speaker went on to consider the Episcopal statement that the Proposal "is not contrary to the pure Constitution of the Church." He himself, however, thought that it would be "destructive[p] of the essential principles of the Catholic Church." To support this opinion,[q] he quoted *Archbishop Potter*[r]: "Though[s] it was an ancient custom for such of the people, as were willing to come, to have free access to the Councils and Assemblies of the Clergy, there is no example of their giving definite voices there." He also quoted similar passages from many other recognised authorities. Coming to the apparent exception in the case of *S. Cyprian*, after other remarks, he said:—"But the most important thing, after all, to observe is[t] that, when the Council, so often promised in the case, actually took place, S. Cyprian describes it as consisting, not of Laymen, or even of Presbyters, but only of Bishops, and the decree, which it passed, as only proceeding from Episcopal authority." As for the modern exception of the *American Church*, he asked his hearers[u] to remember "what the circumstances of the case actually were, when the Lay element was introduced." "The only Bishop in America was our own Bishop Seabury, and he and his Clergy strongly, though ineffectually, protested against it."

n Ibid. p. 20. *o* Ibid. p. 21. *p* Ibid. p. 22. *q* Ibid. p. 23. *r* Ibid. p. 27.
s Disc. of Church Government, p. 293 *t* Ibid. p. 23. *u* Ibid. p. 24.

He concluded[v] thus:—"I hope the remarks, which I have ventured to offer, may suffice to satisfy the Synod that we have much reason to be cautious in coming to any conclusion concerning it." The upshot was that, while "some[w] of the members were inclined to agree with the proposed resolutions (i.e., those of the Warden), others desired more time for their deliberation, and the Synod, after much deliberation, came unanimously to the conclusion to *postpone the determination of the question to another year*."

Still, though the rising luminary of the Church, who had addressed the Synod with such ability, had so far prevailed with his hearers as to induce them to put off their decision, "the following Resolution, proposed by Mr Lendrum and seconded by Mr Malcolm, was carried by a majority of votes:—Whereas the Synod is impressed with the importance of giving the Laity a deeper interest in the proceedings of the Church Courts, resolved that in future *the meetings of this Synod shall be open to the male Communicants of the Diocese, and that they be invited to be present*."

(c) The annual Synod of the Diocese of *Aberdeen* was held[x] at Aberdeen on August 4th. "Among its various transactions, the question of the admission of the Laity to be present and to sit and vote as constituent members of Ecclesiastical Synods occupied a large share of the Clergy's attention." "The Episcopal Resolution having been read, the Rev. P. Cheyne of S. John's, Aberdeen, submitted the two following resolutions to the Synod:—

Resolved—That the constitution of Ecclesiastical Synods —Diocesan, Provincial, and General—having been fixed by the ancient law and immemorial usage of the Church, and no clear instance having been produced from past history of Lay Christians forming constituent members of such Synods, it is the opinion of this Synod that it is not competent for a particular Church to innovate upon a custom so ancient and universal.

Resolved further—That this Synod is of opinion that, under the existing circumstances of our Church, it may be

v Ibid. p 36. *w* S.E.J., 1852, p. 163. *x* S.E.J., 1852, p. 186.

lawful, if the Rulers of the Church shall deem it expedient, to form a mixed Convocation or Convention of Clergy and Laity* to deliberate upon and decide, with the concurrence of both orders, such questions relating to Ecclesiastical government and the temporal concerns of the Church, as do not trench upon the Divinely constituted order, by which definitions of Doctrine and the Power of the keys are reserved to the appointed Rulers of Christ's Kingdom.

These Resolutions were seconded by the Rev. W. Webster. It was thereupon moved, as an amendment, by the Rev. Gilbert Rorison, seconded by the Rev. W. Walker —That this Synod express its respectful concurrence in the remit laid before it by desire of the Episcopal Synod: and is of opinion with the majority of the Bishops that the introduction of the Lay element in Diocesan and General Synods, under certain safeguards, is neither unlawful nor inexpedient." Several members of Synod having expressed their sentiments on the motions before it, the vote was taken, when it was found that *the first Resolution, proposed by Mr Cheyne, was carried by 18 to 3: that his second Resolution was carried unanimously, and that Mr Rorison's amendment was negatived by 19 to 2.*

A motion by Rev. J. G. Ryde of S. Andrew's, Aberdeen, seconded by Rev. G. Rorison, to the effect that "It shall henceforth be *lawful for such Lay Communicants of the Diocese to be present in the Diocesan Synod* as may have received the permission of the Bishop," was carried unanimously.

(d) The annual Synod of *Argyle and the Isles*[a] met in Oban on August 4th. After service the Synod met and listened to a Charge by the Bishop (Ewing), in which he considered, amongst other things, "the propriety of the admission of the Laity to Ecclesiastical Councils and Administrations." "On a discussion, which followed, it was the opinion of a majority that, *Under due regulation, such admission is proper, and is likely to be productive of important benefits to the Church.*"

* "Coming events cast their shadows before."

[a] S.E.J., 1852, p. 187.

(e) The annual Synod of *Glasgow and Galloway*[b] was held on September 8th. "After the transaction of other routine business, the Rev. R. S. Oldham brought forward a Resolution, of which he had given notice, respecting the admission of the Laity to Synodal functions in the Church." After much debate, an amendment putting off the matter was defeated, and the following portion of Mr Oldham's Resolution was then put from the chair, and carried by a majority of 10 to 3. "*That this Synod concurs with the general terms of the Episcopal Resolution; but, in expressing this concurrence, they would guard themselves from conceding in any degree that it is in accordance with Scripture and Antiquity for the Laity to vote on any questions, which involve doctrine; or on the question what is and what is not doctrine.*" The branch of Mr Oldham's resolution affirming the *expediency* of the proposed change was *withdrawn.*

(f) The annual Synod of the Diocese of *Moray and Ross*[c] met in S. John's, Inverness, on June 24th, the Festival of S. John the Baptist. After Service, the Synod was constituted. The only matter of any moment before it was the introduction of the Lay Element into Ecclesiastical Courts. The subject was discussed at considerable length, when the Very Rev. the Dean proposed, and Mr Hutchings of Dingwall seconded, the following resolution:—"*That the Presbyters of this Diocese respectfully assent to the conclusion arrived at by the Episcopal College* (here quoted), *but at the same time they would express themselves very doubtfully as to its expediency.*" This motion was carried by 6 to 2 against an amendment declaring that the Synod was "not prepared at present to affirm the principle contained in the said Resolution."

(g) "We understand that the Synod of *Brechin*[d] met on August 4th, and that a resolution was passed by it unanimously acknowledging with respect and deference the Resolution of the Episcopal Synod recommending the admission of the Laity. A second was then proposed" somewhat bluntly dissenting from the resolution. Upon

[b] S.E.J., 1852, p. 210. [c] S.E.J., 1852, p. 163. [d] S.E.J., 1852, p. 232.

which the following amendment was moved:—*But that this Synod, while recognizing the importance of the co-operation of the Laity, is nevertheless of opinion that the present constitution and power of the several Synods of the Church of Scotland should remain unaltered.* Which amendment, the votes of the Presbyters being equal, was approved of, and declared carried by the Bishop" (Forbes).

Upon the whole, therefore, the result of the consideration of the Episcopal Resolution in the seven Diocesan Synods was as follows:—Three Synods, i.e., those of Moray, Argyle, and Glasgow, voted *for the lawfulness* of admitting the Laity (Glasgow expressly withholding Doctrine from them). Two, i.e., Moray and Argyle, voted *for the expediency* of the proposed step. Two Synods, i.e., those of St. Andrews and Edinburgh, *put off the question*. Two, i.e., Brechin and Aberdeen, voted *against the lawfulness*; and three, Brechin, Glasgow, and Aberdeen, *against the expediency*.

"N.P." summed up the situation at this point in the pages[e] of the *Scottish Ecclesiastical Journal* thus: -"On the whole, I think that the progress of the Lay question must satisfy even its most sanguine supporters. There has seldom, perhaps, been a more rapid growth of opinion; or we may fairly assume, from the cultivated minds, in which it has taken root, a more solid and durable one. Nine short months ago the question was all but new to the Church. Till then few, even of the Clergy, had read or thought much concerning it. Surely it is much that during that brief period of ventilation among a race proverbially slow and cautious, and in a body eminently jealous of change, it should have numbered among its declared supporters one half the established Ecclesiastical organs of opinion, while only one has decidedly† pronounced against it."

[e] S.E.J., 1852, p. 254.

† (It is to be noted that "N.P." wrote before the result of the Edinburgh Synod was known, and that he calculated that Brechin was not *decidedly* against the Resolution, because the motion actually carried was passed only by the casting vote of the Bishop.)

CHAPTER VI.

Further Controversy, 1852.

It was not to be expected that, while the matter was being officially discussed in the Synods, those members of the Church, who were deeply interested in it, would refrain from unofficial controversy. The purpose of this Chapter will therefore be to sketch the course of the unofficial controversy during the remainder of 1852, while the Synods were sitting.

The May number of the "Scottish Ecclesiastical Journal" *f* contained several valuable letters on the subject of *the part taken in ancient times by the Laity in the election of Bishops.g*

(a) *The Editor* reprinted*i* a passage from Dr Brett's "Account of Church Government and Governors" (London, 1701), in which that learned Divine first quoted from the Canons of the Councils of Nice and Laodicea, in order to shew that "Bishops had the undoubted right of constituting other Bishops," but then proceeded to shew that still "the People were not wholly shut out: their consent was generally asked, and they had the right of making exceptions to any persons nominated." He quoted *Gratian (Dist: 62, p. 101)* as shewing, "from a great many Decretal Epistles, that Bishops were to be elected by the Clergy; at the petition of the people; and consecrated by the Metropolitan and Provincial Bishops." "So it seems as if the People commonly recommended some persons to the Clergy, by whom one was elected and presented to the Metropolitan and other Bishops, whom they either consecrated or rejected." He also quoted from *S. Cyprian ("Letter to Spain on choosing Sabinus and Felix")* shewing equal Lay power in a slightly varied form. "The right of election was in the Bishops present, but the consent and approbation of the election, with

f S.E.J., 1852, p. 106. *g* Ibid. p. 105.

a testimony of the conversation of the person elected, appertained to the people." To a similar effect *Justinian* (Nov. 123, cap. 1) and the Decree of the *Council of Arles*, A.D. 452, were quoted by Dr Brett.

(b) *Dean Torry* also had a long letter[h] to the same purpose: (1) He reminded his readers that "Mr Gladstone's letter to the Primus did not originate" the Lay Movement in Scotland. The credit of doing so was due "to the Very Rev. John Skinner, the Dean of Dunkeld, who upwards of 20 years ago brought forward" the question. He, however, had received but little support.

(2) Coming to the point, the Dean recalled the fact that Mr Gladstone had conducted his argument "without *going back to early precedent*, either in the Acts of the Apostles or in the ordinary law or usages in the Church." But the Dean inisisted that it was necessary to go back there, and proceeds to do so. He quoted therefore from *Gibbon* (chap. xx.), who admits the respective rights of the Provincial Bishops and of the Clergy and People in the election and consecration of Bishops. Also from *Bingham* (Book IV., chap. ii), "Sometimes the Bishops in Synod proposed a person for the vacant See, and the Clergy and People accepted him: sometimes the Clergy and People proposed and the Bishops consented." He then alluded to certain *exceptions* to the general rule, viz.:—"In a case, where a Church had turned heretic or schismatic, had elections been made by the general suffrage of the people, the consequence would have been that heretical or schismatical Bishops would have been ordained. In such cases therefore Bishops were ordained not only without but against the consent of the People."

(a and b) It is somewhat curious that, though the Editor and the Dean of St. Andrews thus exerted themselves to prove that anciently the Laity had the right of taking part in the election of Bishops, their purpose was not to advocate the restoration of that right to the Laity in Scotland. The Editor distinctly said:—"We[i] do not advocate any change in the mode of electing Bishops in the Scottish Church

h S.E.J., 1852, p. 106-7. *i* S.E.J., 1852, p. 104.

. . . But the practice of the Primitive Church on this point may surely be used as an argument *in favour of the lawfulness of admitting Laymen to a share in any ecclesiastical business*, which is equal or lower in degree as regards intrinsic importance or supposed interference with Clerical privilege," and Dean Torry expressed the same sentiment.

(c) An anonymous correspondent, signing himself A.S.C.*j* while (1) praising "the logical accuracy and lucidity of style, which distinguished all the productions of the Bishop of Edinburgh (Terrot), yet felt called upon to criticize a passage in his recent Charge on the Lay Question. (2) The Bishop had exhorted all those, who suffered themselves to be stopped at the outset" from favouring the Lay claims, by "the *unfounded assertion* that neither *Scripture* nor *early ecclesiastical history* affords any authority for such mixed government in the Church" to consult "the long list of authorities given by *Bingham* in Book IV., chap. 2." (3) Yes, said A.S.E., let them consult that chapter of *Bingham*, and they will find that "he makes no mention whatever of the admission of the Laity into Synods," but only "a more particular account of the ancient method and manner of the elections of Clergy." (4) Having answered the Bishop's citation of "Bingham," he went on to dissent from his interpretation of *Scripture*, shewing that Hammond interpreted the Council of Acts xv. as having had only the Apostles and Elders as constituent members, the Laity merely "shewing their consent and approbation and submission to the decision of the Council." (5) He also dissented from the Bishop's interpretation of *Antiquity*, shewing from Field (chap. xlix.) that "the persons, who may be present are of divers sorts. For some there are with authority to teach, define, prescribe, and to direct: others there are to hear, set forward, and consent unto that, which is there to be done. In the former sort, none but only Minister of the Word and Sacrament are present in Councils, and they only have defining and deciding voices; but in the latter sort Laymen also may be present . . . And in this sort we all teach that *Laymen have no voice decisive, but Bishops and Pastors only*."

j Ibid. p. 107. *k* London and Oxford: Parker, 1852.

(d) It was at this time that *the Warden of Glenalmond* (Charles Wordsworth), in a "Letter[k] to the Right Hon. W. E. Gladstone," opened his batteries against that writer's position in connection with Church and State, as set forth in his well-known letter to the Primus. (1) Mr Gladstone there maintained that the relation of the Secular Power to the Church ought to be one of neutrality; the Warden was a strong believer in the principle of Establishment; (2) Important, however, as the subject matter of this discussion is, and, closely as it is connected with the question of the power of the Laity, yet, since the actual controversy in the Scottish Church did not aim at any modification either of her own disestablished position, nor in the status of any established Church, we think that a consideration of the first part of Mr Gladstone's Pamphlet, and of the Warden's reply to it, would lead us too far afield, and we therefore pass the incident by with this bare allusion to its having occurred.

CHAPTER VII.

Pamphlets, etc., of 1853.

We come now to the year after the mind of the Church Courts had been declared, i.e., 1853.

I. And the first thing that we find is that *there is a lull* after the extraordinary stir of 1852. "It is,"[l] said the *Scottish Ecclesiastical Journal* of June, "with thankfulness and deep interest that we have watched the silence, which for a time has been observed amongst us in regard to this matter."

(1) *But what was the meaning of that lull?* Was it a sign that the controversy had burnt itself out? Quite the contrary! Only "an[m] unconcerned spectator might be misled by it to suppose that this pause had had its origin in want of sympathy or cold unconcern: it is not so! The subject occupies the same place of paramount and pressing importance—nay its claims to consideration are becoming daily more instant, and the responsibilities, which surround it, have been gradually taking a stronger hold upon the minds of all concerned."

And whence this deepening conviction? "In the Colonies they have felt the external arm, on which they leaned, or thought they leaned, visibly deserting them; every day it has been yielding a fainter support. And they have been startled into a sudden consciousness that they have been drifting into a new position. Among ourselves the same thing has been taking place, but in a different way. With us it has not been the failure of external aid—the alienation of prescriptive secular support—that has called forth new energies, and awakened a new feeling of instant duties and responsibilities. *We have been borne along by the Church's progress to the present point*, on the swelling stream of the prophetic waters. The Church, maimed and stripped of all

[l] S.E.J., 1853, p. 130. [m] Ibid. p. 131.

but life, has been gradually receiving strength, and, rising to a higher consciousness of her great mission, is impelled, not less by a sense of her imperfections, than by very faith in her true and living existence, to search for a more vigorous organisation and more extended means of action."

Such were the thoughts moving in the minds of Scottish Churchmen during that lull at the beginning of 1853.

(2) But when we turn to actual proposals, *and admission of the Laity, as constituent members of her Synods*, is suggested as the very fresh source of efficiency of which she is in search, what happens? "We[n] are met at the very outset by a serious difficulty—an objection that the proposal as to Lay co-operation is one in itself not lawful." "It is, therefore, indispensable to bestow in the first instance some consideration on this *question of lawfulness*":—

This the writer proceeded to do by reviewing (A) *first* the position, which the Post-Nicene Emperors held in the Church, and (B) *secondly* some of the evidence from Ante-Nicene times:—

(A) As bearing upon the *first*: (a) He quotes *the historian Socrates*, who writes:—"*From the time that the Emperors began to be Christian, the affairs of the Church hung upon them*, and the greater Councils were held at their decision," and directed attention in his own words to "the striking fact that the great Synods of the Church admitted and recognised a large amount of lay interference and co-operation. That interference took place in the person of him, who was the head of the Empire, and, as such, the representative of the whole body of the State." He then cited the instances of the Council of Nice (A.D. 325); of Constantinople (A.D. 381); Ephesus (A.D. 431); and Chalcedon (A.D. 451). And, to meet the case of the Scottish Church, he drew this inference[o] from the foregoing evidence:—"There is nothing unlawful in the principle of lay co-operation at the Synods of the Church."

(b) "Let us now inquire *in what sense the Christian Emperors interposed*," and he answered that question thus:

n Ibid. p. 131. *o* Ibid. p. 132.

—"The imperial person was the representative and head of the Lay power in the State," and backed this statement with the authority of Hooker (Eccl. Pol. viii. 6). "We have thus the Christian Magistrate shadowed forth in these transactions as the *representative of the faithful Laity:* in his person they appear as aiding and consenting at the Councils of the Church."

(c) "We shall possibly be reminded of the fearful *abuses*,[p] of which this was made the pretext and the excuse. And doubtless it was so, but even this abuse was not without its alleviation." "Through the very fact that the Church recognized in them (i.e., the princes and barons) a certain legitimate position in Ecclesiastical matters, she actually gained a controlling power and influence over an age of violence, which otherwise she could never have possessed or wielded."

(d) "Everywhere[q] the same principle was recognized, and *in some instances an important variety* was allowed in the course of action. Thus in German Councils, *individuals of the Laity were also admitted in addition to the Prince* and those appointed by him. The same thing took place in Spain, France, and England." A description of the fourth Council of Toledo, A.D. 633, then follows, and then reference is made to the British and Anglo-Saxon Churches.

(e) "But at this point we come into contact with *those who maintain that the Civil Power still represents the Laity, and that therefore any other representation is not only unnecessary but faulty.*" Answer:—"This is not the time to speak of the argument as applied to the English Church." "Unquestionably," however, "such considerations have no weight in Scotland. The position of the Scottish Church utterly excludes them." "In dealing, then, with the present question of the Scottish Church, we come to this conclusion:—That, if the Church might lawfully admit and did often gratefully recognise the aid and co-operation of the head and representative of the Lay members

[p] Ibid. p. 148. [q] Ibid. p. 149.

of a Christian nation, she is equally free, when that power is withdrawn, to call in the co-operation of those represented, in the manner, in which to her wisdom may seem most fitting and expedient.

(f) "And here, before proceeding further, we may advert to the position of some, who would seek to elide the force of the reasoning now employed by such considerations as the following, viz.: *that the Sovereign Prince is a mixta persona*;[r] not laic merely, but in some sense *clericus*, and that therefore the Christian Kings and Emperors were entitled, by virtue of this sacred character, to be present at Synods." "It seems to admit of a short answer. For *first* we cannot concede that the fact is as represented." "The Christian Emperors did not act on any assumption of clerical character; while on the other hand (history) affords positive evidence that the Church, by anticipation, repudiated any such assumption." "*Secondly*, the consequences of maintaining the position indicated would result in the teaching of Hobbes, Arnold, and Bunsen."

(B) "We now come to the case of those who cast overboard all precedents, which have a later date than the Conversion of Constantine." "We are not, however, left wholly destitute of guidance as to the practice and rule of *the Primitive Church* in this respect." (1) "We purposely abstain from setting forth in words of our own any formal statement of the *Scriptural argument*. . . . The present Bishop of Oxford[s] says:—'From the intimations of the Acts of the Apostles, we can hardly doubt that in some way or other the Laity took part in the discussions of the Primitive Church.'" To the same effect wrote Hirscher, Thorndike, and J. Taylor. (2) Coming to the Post-Apostolic but *Ante-Nicene Church*, he quoted somewhat copiously from *S. Cyprian*. For example:—"I could give no answer by myself[t]; in that from the beginning of my Episcopate, I resolved to do nothing of my own private judgment without your advice *and the concurrence of the People*; but, when by the grace of God I shall have come to you, we will consult together of the things,

r Ibid. p. 150.
s Wilberforce "Hist. of the American Church," p. 254. t S.E.J., 1853, p. 151.

which either have been or are to be done, as beseems our respective stations."[u] Also the following from *S. Athanasius*, who was protesting against the proceedings of an heretical Emperor in thrusting him out of his See:—"All things ought to have been enquired into and transacted canonically in the presence of those amongst the Laity and Clergy, who demanded the charge."[v] And finally from *S. Chrysostom*:—'Hear at least in the case of the Apostles how frequently they admitted the Laity to share in their declarations.'"[w]

All that had been said as above seemed to the Writer "to[x] vindicate on the highest grounds the lawfulness of Lay co-operation in our Ecclesiastical Councils, subject to such conditions as the constituted authorities of the Church may impose."

II. But there were points in these arguments of the "Scottish Ecclesiastical Journal," which seemed "fallacious" to the Rev. William T. Farquhar of Pitscandly, the incumbent of S. John's, Forfar. Accordingly he contributed two long articles to the columns of the same Magazine,[y] which, altered and enlarged, appeared afterwards as a Pamphlet, entitled "Arguments[z] in favour of Lay Representation in Ecclesiastical Synods considered." In the body of the treatise he considered *five points* connected with the subject, and in a short appendix touched lightly upon three more:—

(1) "*Arguments drawn from the Council of Jerusalem.* It is argued[a] that the Laity ought to be admitted to vote in Synods because they were so admitted in the . . . Council of Jerusalem."

(a) *Hooker* was in favour of the Lay Claims, yet "I answer that his treatment of the Council of Jerusalem shews that he at least *did not think that that Assembly was an instance of such claims being conceded.* His argument, instead of being that the Laity were members of the Council in question, was that, since "those, who composed it, were aided by the extraordinary assistance of the Holy Ghost, to

u Ep. xiv. *v* Encyc. Let. iv. *w* Hom. on Acts xxxviii. *x* S.E.J., 1853, p. 153.
y S.E.J., 1853, pp. 224-247.
z "Arguments in favour considered," Edin., Grant, 1853. *a* Ibid. pp. 4, 5.

which other Synods can lay no legitimate claim, therefore the Jerusalem Assembly was not to be treated as a precedent for other Synods." So much for him. (b) "Still,"[b] apart from Hooker, "this Council is perpetually quoted; and perhaps a *prima facie* view of it, as presented to us in our English New Testament, does seem to countenance the Lay doctrine." For example, the Bishop of Edinburgh had recently argued "from[c] the Council of Jerusalem that the Church is not acting rightly, until she invite the Lay communicants to take part with her Clergy in transacting authoritatively all the more important business that comes before her Synods." Answer:—"What[d] I am desirous of proving is this, that it will never be possible to make out that claim from the Council of Jerusalem." In order to do this, we must see, *first*, "*Whether Laity were present at all?*" "I say[e] that you cannot prove that they were. For how do you know that the word πλῆθος (multitude) in Acts xv. 7 refers to them at all. . . . The πλῆθος was simply the Council, and what that was, whether it consisted exclusively of Clergy, or included Laity, this is the whole question at issue. In S. Luke xxiii. 1, this very word πλῆθος, there also translated "multitude," is used in reference to the Council of the Sanhedrim, and it is very conceivable that of Apostles and Presbyters and other commissioned and inspired persons, Evangelists and Prophets and so on, the πλῆθος consisted, which formed the Council of Jerusalem."

Secondly, "It cannot be proved that the Laity were even present; *but, if it could, what did they do?*" Here the Presbyterian Barnes and the Dissenting Henry were quoted to shew that the Laity on that occasion "had[f] not votes, but came together to *hear what was said*." *Finally*, with regard to this Council:—"A valuable *letter from Dr Tregelles* to the present Bishop of St. Andrews, accompanied with important remarks from the Warden (as he then was) himself, appears in the "Scottish Ecclesiastical Journal" of September last regarding the true reading of Acts xv. 23. Dr Tregelles considers the united

b Ibid p. 5. *c* Ibid. p. 6. *d* Ibid. p. 7. *e* Ibid. p. 8. *f* Ibid. p. 9.

testimony of the MSS. A. B. C. D. to be decisive against the genuineness of the καὶ οἱ as prefixed to ἀδελφοὶ and translates the passage thus, *The Apostles and Presbyters, as brethren, greet their brethren in Antioch, &c.*, and the Warden observes:—"It is clear, I think, that no conclusive argument can be drawn from a text *of so much uncertainty* as Acts xv. 23."

(2) *The Argument drawn from the presence of Emperors in the General Councils.* (a) This argument assumes for one thing that the Sovereign is the Representative of the People. *Answer*:—[g]"Surely something like proof is needed on this head from the records of the time, to shew that the early Bishops, who composed those Councils, were in the habit of regarding Christian Emperors in no other light than as the representatives of the Christian Laity; nay, that they were accustomed to consider them in that light at all." "The English Crown is not elective." "It[h] is not the doctrine even of the Revolution Settlement that the Queen in this country derives her authority from the People." And, if the Throne "be[i] not elective, it is not easy to see how or in what sense they, who use this argument, can regard the Sovereign as representing the Laity. (b) *Again*, the argument, which we are considering, "assumes[j] that the Sovereign is not a sacred or consecrated personage." *Answer*, The position taken up by the early Bishops "seems[k] to have been that indicated in the 37th Article of the English Church, as the ground, upon which she rests her doctrine of Supremacy." "It[l] is not indeed to any sacerdotal function that Kings are consecrated, but they are the Lord's anointed to govern civilly; or, as the Apostle expresses it, 'They are *God's Ministers*, waiting upon *this very thing*.'" In a Parliament held by William the Conqueror, it is written thus:—"The King, *forasmuch as he is the Vicar of the Highest King*." "The Bishops[m] of the ancient Church looked upon Princes as sacred personages and as the Lord's Anointed." *Consequently*, "the[n] great question for us to consider is, whether it was not in this

f Ibid. p. 9. *g* Ibid. p. 10. *h* Ibid. p. 11. *i* Ibid. p. 10. *j* Ibid. p. 10.
k Ibid. p. 11. *l* Ibid. p. 12. *m* Ibid. p. 11. *n* Ibid. p. 12.

capacity, and not as representing the Laity, that their presence and authority were recognised in the ancient Councils?"

(3) *The Argument drawn from the Parliamentary Sanction of Canons in the Church of England now.*" "From[o] this it appears to be inferred that the Church of England thus recognises the interposition of the Lay Element in Ecclesiastical Legislation, and practically admits the necessity of the Lay sanction in order to give binding force to her Canons." *Answer*[p]—"The precise nature of the Parliamentary sanction is misrepresented according to this view of the case, and the great truth is apparently forgotten, that the Ecclesiastical Acts of our spiritual rulers have, apart altogether from Parliamentary sanction, a moral power to bind the Conscience. The Parliament *adds* to this a *civil* sanction, so that Churchmen in England are bound by a *double* obligation; for they are bound *both* as good *citizens* and as good *Churchmen*, to yield obedience to the Canons, which thus become not only the law of the Church, but also the law of the Establishment. Thus there are two sanctions quite distinct from one another."[q]

(4) "*The*[r] *(supposed) General Principle that Laws bind those only, who consent to the Making of them, either in their own Persons or by their Representatives.*" "Of this thing," says Hooker, "no man doubteth, namely, that in all Societies, Companies, and Corporations, what severally each shall be bound unto, it *must* be with all their assents ratified. Against all equity it were, that a man should suffer detriment at the hands of men for not observing that, which he never did, either by himself or by others, mediately or immediately, agree unto." "Quod omnes tangit ab omnibus tractari et approbari decet." *Answer*: I prove that the principle does not hold either in the (a) civil or (b) the ecclesiastical sphere. (a) *Not in the Civil*:—"England[s] passed through many changes before she secured the blessings of a Representative Government. The Barons, who wrested Magna Charta from King John, only paved the

o Ibid. p. 14. *p* Ibid. p. 14. *q* See Barrow's Sermon on Heb. xiii. 17.
r Arguments, etc., p. 16. *s* Ibid. p. 17.

way, and those, who dictated the law to Henry III., . . . only substituted the government of an Aristocracy for that of a King." In the first Parliament (1258) the People were not represented. "The Counties came first, and then the Boroughs; and not till the Parliament of 1266 do we see deputies from towns and boroughs appear in any large numbers in the Parliament. The complete formation of the English Parliament dates no farther back than the year 1264. Is it meant seriously to be affirmed by those, who lay down the broad principle now under consideration, that, previous to that year, the people of this country were not bound, *in foro conscientiae*, or as S. Paul expresses it *for conscience sake* to obey the laws?" In[t] the present day "are non-electors, and Women not amenable to legal authority?" Thus, in point of fact, even as regards civil obedience, it is not true that the principle under consideration is recognised by the British Constitution." (b) "But,[u] if this supposed general principle be fallacious in reference to the civil obedience of the subject, *it is still worse as applied to the duties of the baptized*." "The[v] question seems to be, Has Christ committed those functions (i.e., those of governing and legislating) primarily to the whole Ecclesiastical community"; "or has He delegated them specially and by exclusive commission to a particular set of men?" "The[w] distinction between Clergy and Laity is an ordinance of the Lord Jesus Christ Himself, and is co-eval with the institution of Christianity, and by this we mean nothing less than that the former are invested with an exclusive commission to make laws for and govern the Church, just as they are invested with an exclusive commission to bind and to loose, to preach and administer the Sacraments."[x]

(5) "*The Case of Presbyters.*[y] An argument for the admission of Laymen, as constituent Members, in Ecclesiastical Synods has sometimes been drawn from the case of Presbyters, who, we are reminded, had no more right to sit in the ancient Councils than the Laity." *Answer*: "We

t Ibid. p. 19. *u* Ibid. p. 20. *v* Ibid. p. 21. *w* Ibid p. 21.
x See Clement, Ignatius and Chrysostom. *y* "Arguments," etc., p. 23.

need not here stop to enquire whether Presbyters were or were not *necessary* members of Synods; it is enough to state that in many of the ancient Councils, including general as well as provincial, Presbyters were *de facto* constituent members as in the Council of Constantinople A.D. 381; the Council of Chalcedon; the second Council of Nice and the eighth Council called against Photius and others." "Will any one point out a similar precedent for the Laity?" "Till[2] this at least be done, the cases of Presbyters and Laity are not parallel in point of precedent; but rather prescription lies altogether on the side of one and against the pretensions of the other."

(6) *The Appendix.* The following points are briefly noticed in this:—(a) "The Right of electing Bishops or Pastors, even supposing it to exist, would not necessarily imply the privilege of sitting and voting in Councils." (b) "If the opinion, which I have formed on the whole subject, be correct, it was manifestly unnecessary to consider here the reasons drawn from views of *expediency*." (c) The witness of S. Cyprian:—Here was inserted a long quotation from Sclater's "Original Draught of the Primitive Church," proving against the contention of Lord King that various functions, which his theory would require to have been performed by "the joint assembly of all the Laity and Clergy of the Church," were by S. Cyprian's testimony performed by the Clergy only.

(7) Only one point remains to be *emphasised* in connection with this Pamphlet. Against what was it that the Author was arguing? It was against the Laity being admitted to equal rights with the Clergy, as constituent members of Synod, possessing decisive votes in all matters. For instance on page 4 he is, in his own words, arguing against "the Laity having been present in the Council of Jerusalem as constituent members of it; as parties entitled to vote and as adding by their votes to the authority of the decision." Again, on page 7, he is combating the idea that "they did something more than merely express concurrence

[2] Ibid. p. 24.

in the decision; that they voted and that the decision was consequently so far dependent on their votes." And so on all through. *But* there are three points, against which he was so far from arguing that he positively favoured them. They were as follows:—(1) A general prosposition—"All[a] are agreed that it is most desirable that the Laity should be brought to feel and to manifest an increased interest in the affairs of the Church." (2) A particular proposition[b]—"I do not doubt that it is quite competent for the Bishops of the Church, if they should think it expedient, *to invite the presence of the Laity*; and of the *desirableness of their concurrence*, reverentially and seriously expressed, there can perhaps be as little dispute." (3) Another particular proposition[c]—"Dr Wordsworth has perhaps hit upon a plan, and the Bishop of Moray has intimated his intention of adopting the same, for practically solving our present difficulties, which, if it be taken advantage of by the Laity themselves, would seen calculated to keep alive and foster in them a desirable interest in Church matters without compromising Ecclesiastical principle." This plan of the two Prelates, to which our Author gave his support, was that of creating mixed assemblies of Clergy and Laity, under Episcopal sanction, which should have no legislative authority; but in which matters might be discussed without restraint in common. This effort to set up such mixed assemblies will form the subject of the next chapter.

a Ibid. p. 25. *b* Ibid. p. 7. *c* Ibid. p. 24.

CHAPTER VIII.

Beginnings of Lay Representation, 1853-8.

Hitherto there had been nothing but discussion of the question. That, as we have seen, was very full, but as yet no *practical attempts* had been made to give the Laity admission in any form to the Synodical meetings of the Church. Such attempts were now to be made:—

I. And made, first, curiously enough, by one, who had spoken most strongly upon the conservative side against the granting of a decisive vote to the Laity. On the death of Bishop Torry, the Rev. Charles Wordsworth, Warden of Glenalmond (whose speech against the larger lay claims will be found in Chapter V.), had succeeded to the Bishopric of St. Andrews, Dunkeld, and Dunblane:—(a) On April 6th, 1853, he summoned a special Synod[d] to meet at Trinity College to consider the case of the Cathedral at Perth. *To this Synod he invited certain Laity*,[e] "in full Communion with the Church, and known to take a religious and intelligent interest in its welfare and advancement":—

In addressing[f] the Synod, he explained his action thus:—"I think it due to the Clergy to explain the grounds, on which I have invited some of our Lay Brethren to be present at our deliberations to-day. It will be in your recollection, that at our last Annual Synod, a Resolution was passed,[m] I think, by a considerable majority that any Layman should be at liberty thenceforth to claim admission to any of our Synods *ad libitum*. To that Resolution I objected for reasons, which I stated at the time; and I object still. Whether it obtained the approval of my revered Predecessor, and so, for the time being had the force of a law within the Diocese, according to the words of the Canon, I cannot say.

d "Report of the Special Synod of Apr. 6, 1853," Grant, Edinburgh, 1853.
e Ibid. p. 1. *f* Ibid. pp. 21-2. *m* See Ch. V. B. b.

But I was willing and glad to go along with it, so far as I conscientiously could; and the result is, as you know, that I have invited a certain portion of the Laity, whose names I have received from you, as of those most worthy to be present, to favour us with their attendance on this occasion. The Laity, I hope, will understand that what is done in this special instance, does not necessarily form a rule for future occasions, and certainly not for what may take place at our ordinary Annual Synod, of which the provisions have been laid down, more or less expressly, in the Canons of the Church." There, then, were the Laity asked for the first time to one of our Synods, and they were not only present, but on the invitation of the Bishop they contributed to the discussion.[g] Mr Stirling of Kippendavie, General Lindsay, Mr Grant of Kilgraston, and Mr Carrington, Dunkeld, each contributed a speech of some length on the Cathedral question.

(b) The ordinary annual meeting of the St. Andrews Synod took place at Trinity College on July 6th. To this the Laity were not invited, but: -"In reference to the Synodal arrangements to be made for *next* year, the Bishop remarked[h] that he was inclined to shift the question, which had been of late so much agitated, from Laymen in *Synods* to Laymen at *Visitations*." "It was his intention to hold the annual Synod on one day, and on the next day a Visitation of Clergy and Laity. To the latter he would invite every Layman in full communion, who had anything to do with the management of a Church, as Vestryman or Trustee." "He thought that most of the supposed advantages to be derived from the presence of Laymen in Synod might be secured in this way, with little or no fear of disadvantage, while the proper character of the Synod, as a Council of Clergy, would be preserved intact." His present idea was to hold such Visitations triennially.

II. Meantime, under the rule of Bishop Eden, matters were taking a similar turn in the Diocese of Moray and Ross.

[g] Ibid. pp. 64-8. [h] S.E.J., 1853, p. 162.

(a) The Synod here met[i] "in the Chapel of S. John at Inverness on Aug. 31st." "On the following day the Visitation was held. Morning Prayer was said, (1) after which the Bishop delivered his Primary Charge to the Clergy and Laity present." After touching on various other topics, and in particular upon the fact that it is the office of the Bishops "to meet and declare the Truth," he went on to say:—"The[j] peculiar functions and authority of the Synod proper cannot be delegated or interfered with, without the most certain eventual injury to the Church: it is to the interest of all, that these should be carefully protected and guarded; but then, without admitting the claim of right, I would invite and thankfully accept the co-operation in Council of those, who should represent the Lay element in the Church. One of the most valuable results, which I should anticipate from the adoption of measures, which would lead to the admission of the Laity into our Synods, is this:—Our present state of *isolation* would be got rid of; we should cease to be that rope of sand, which circumstances make us to be too much at present, and that, which prevents the united action of the whole body—a mutual want of confidence between its different members, arising either from jealousy on the one hand, or, on the other, from a sense of exclusion from any legitimate co-operation in the administration of the affairs of the Church—would be removed." (2) "On the conclusion of the Charge, the Bishop held a *Conference* with the Lay Representatives, which, owing to the wetness of the day, was not so well attended as it would otherwise have been. Various subjects of general interest were discussed in the most happy and pleasing manner." "It seems unquestionable that, if similar opportunities were afforded to her Lay members of assembling in friendly converse with their Bishops and Pastors, the Episcopal Church in Scotland would speedily reap the benefit, by interesting her children in her welfare, in a manner which she greatly needs, and which she has never yet succeeded in bringing about."

i S.E.J., 1853, p. 211. *j* S.E.J., 1853, p.219.

(b) 1854. At his Diocesan Synod of July 6, 1853, the Bishop of St. Andrews had announced that in 1854 he would summon the Laity to meet the Clergy at a Visitation on the day after the Diocesan Synod. An invitation to the same effect was now formally issued by the Bishop of Moray and Ross. It was addressed "To[k] the faithful Lay Members of the Episcopal Church of Scotland, resident within the Dioceses of Moray and Ross." It began by asserting that our Lord had "entrusted the rule and supervision of His mystical body the Church to His Apostles, and to those, who should succeed them in their sacred functions, even to the end of the world." It then went on to record that "the successive holders of the Apostolic Office, the bishops, have from time to time convened in Synod the Clergy of their respective Dioceses," and proceeded as follows:—"We, impressed with the conviction that the Bishops of the Church have thus been greatly aided in their responsible office by the wisdom and counsel of the Presbyters, and that every Bishop is at liberty to seek out and call forth into exercise the reason and varied gifts bestowed upon *all orders and degrees* of the faithful. . . . And further believing that our brethren of the Laity will not shrink from bearing their legitimate part in the public cares of the Church, or from affording to him, who is 'set over them in the Lord,' that counsel and advice, which he may seek at their hands, do hereby *invite* and *convene* so many of the Lay Communicants of the respective Congregations in our Diocese, as may have it in their power to attend to meet in the Chapel of S. John's, Inverness, on September 20th, at 11 a.m., for the purpose of conferring with us on such of the affairs of this Diocese, as come legitimately within their province."

III. The "S.E. Journal"[l] was greatly encouraged by the issue of these two invitations. "We look upon them," it said, "as important and pregnant facts, not only evincing the strong desire of the two Prelates to be up and doing, but testifying to their determination to court, and their anxiety to obtain, the co-operation of their Lay brethren in the

k S. E. J., 1854, p. 214. *l* Sep. 1854, p. 203.

Church's work. This indeed they may not obtain at once to the full extent, which they desire. For, after the long period, during which the bulk of the Lay members of our Communion have been habituated to inactivity in ecclesiastical affairs, it cannot be expected that their *vis inertiæ* will be immediately subdued. But of this we feel sure that they will from the first find *some*, who will gladly accept and profit by their summons, and that the number of such will gradually but surely increase." "One thing, at least, these invited meetings of the Laity both proclaim, viz.:—that 'the Church' is not composed of the Clergy alone, but that Laymen also have their place and their duties, which the Bishops are not slow to recognise."

IV. (a) "On Sep. 21 the Bishop of St. Andrews held his primary Visitation,[m] on the day after the meeting of the Diocesan Synod," in the Cathedral, the western* bay of which had been arranged for the purpose. The chairs of the Clergy were ranged right and left of the Bishop, round the principal space, so as to enclose in the centre, facing the Bishop, those of the Laity who had been officially invited, . . . while an outer space was railed off for any other members of the Church, who might wish to be present." After prayers:—"The business commenced with a few preliminary observations from the Bishop, in which he desired it to be understood that the proceedings of the present Visitation were to be regarded as, in a great measure, provisional."

(b) The *Charge*[n] then followed:—"This Charge," says the present Bishop of Salisbury, "the first of a series of important deliverances, contained a considerable amount of matter bearing on the subject of a Re-union with Presbyterians." Interesting, learned, and eloquent, therefore, though the address was, it did not bear at all directly upon the Laity question, and accordingly there is no need to summarise it here.

"At[o] its conclusion the Bishop stated that the delivery of the Charge should in future occupy less time, so as to allow

m S.E.J., 1854, p. 239. * Now the most easterly in the completed Nave.
n Episcopate of Charles Wordsworth, p. 56. *o* S.E.J., 1854, p. 239.

more lengthened deliberation on subjects connected with the details of the Church's practical working, and the extension of her influence—matters in which he should especially value the counsel and co-operation of the Laity."

V. "On[p] Sep. 20 the Convocation of the Laity of the Diocese of Moray and Ross was held at Inverness." After the Litany and Holy Communion, the Bishop "constituted the Convocation in the Name of the Holy Trinity, and then delivered to the Laity present an Address":—

(a) "I confess," he said, "that amongst the motives, which have influenced me in summoning to Council the Lay members of my Diocese, that of engaging them in discussions for the purpose of determining controversies has had no place. I had rather thought of engaging them in such practical work as would leave little time or thought for controversy, and whose valuable and beneficial results might go far to blunt its edge and tend to draw Churchmen together on points, on which they are agreed, rather than engage them on those, on which they may differ." "Dismissing, then, the thought that we are now met for controversy, let me briefly explain to you my reasons for asking your attendance." "While our Canons do not recognise any official action of the Laity *in Synod*, they do not forbid an individual Bishop from summoning, on his own responsibility, those Lay members of his Diocese, who may be able and willing to help him by their counsel and co-operation. "To constitute, then, a Convocation of Lay Communicants of this Diocese is one of the objects, which I seek in inviting you to meet me this day." "The accomplishment of this will, I believe, go far towards the *removal of those defects and evils*, which I see at present existing in our Communion." "For *in the first place*, from whatever cause arising, the Scottish Episcopalians, though professedly members of the Scottish Episcopal Church, instead of feeling and acting as members of one body; as members of that congregation of faithful men, the Holy Catholic Church, appear to have practically lost sight of their union with this larger

[p] S.E.J., 1854, p. 238.

body, and to confine their thoughts and attention to the particular congregation, of which they happen to be members." "*Another* evil or defect, which I observe, and which is a necessary consequence of the one I have just referred to, is the isolated position in which each Congregation finds itself to be. It stands alone. It feels that it has not the sympathies of the other Congregations with it." "As one of the results of such a Convocation as this, I look to the awakening an increased and increasing interest in the affairs of the Church in general."

(b) At the conclusion of the Bishop's address, Mr Mackintosh of Raigmore moved that the Convocation "record its conviction that in the legitimate exercise of the authority vested in them, it is competent to the Bishops of the Christian Church to take into their Councils, whenever they see fit, the faithful Lay Members of the Church for the purpose of deliberating upon all such questions connected with the welfare and extension of the Church as shall be submitted to them." This was unanimously adopted, and then "the[q] meeting came to be of opinion that they were not yet in a state to appoint a Committee to revise the rules and regulations, and they therefore requested the Bishop to frame them in the first place and to submit a draft of them to an adjourned meeting of the Convocation."

VI. 1855. The two previous years had seen the summoning and assembling of lay meetings in the Dioceses of Moray and St. Andrews, 1855 was to see those meetings further organized and consolidated:—

(1) *At the Diocesan Synod of Moray and Ross* held at Inverness[r] on August 29th *there was a discussion on the Lay Question.* This was entered into at the wish of the Bishop, who "considered that the subject of the admission of the Laity into the Councils of the Church must some day be seriously entertained, and therefore wished a discussion to be entered into with a view to the ventilation of the matter and the preventing of hasty legislation." "An interesting

[q] Ibid. p. 239. [r] S.E.J., 1855, p. 144.

conversation arose, when it appeared to be sensibly felt by the Synod that it would materially tend towards unity throughout the Diocese and to the general benefit of the Church within its bounds, if, by any means, the Laity could be stirred up to take a lively interest in its welfare.' The Synod requested the Bishop to impress upon the Lay Conference of September, with all the earnestness of which he was capable, this feeling and desire for sympathy and support in all matters or projects affecting the well-being of the Church."

(2) *The Lay Conferences of the Diocese of Moray and Ross was held* in S. John's Chapel, Inverness, on Sept. 10th. At this "the Bishop presented a draft of 'Rules and Regulations for Constituting a Lay Diocesan Conference for the United Dioceses.' I. That a Lay Diocesan Conference be now constituted, of which the Bishop shall be *ex officio* President. II. That the Conference shall meet annually in the month of September, and be convened by the Bishop. III. That the members of the Conference shall be Communicants of the Church, and shall be elected by the Communicants of the different Charges in the Diocese. IV. That the Communicants of each Congregation shall have the power of electing two Representative Members. V. That a new election shall take place not later than the month of July every second year, etc." This was unanimously adopted, and the Bishop requested to send a copy to the Churchwardens or Vestry of each Congregation."

"The Bishop then informed the Conference that at the recent meeting of the Diocesan Synod the propriety of admitting the Laity into the Councils of the Church had been considered" as above.

"His Reverence next spoke at considerable length upon the subject of the miserable and scanty pittances, on which the majority of the Clergy of his Diocese were subsisting." This was sympathetically discussed, and a scheme for building Parsonages approved of.

Certain Resolutions "concerning the admission of the

Laity into the Councils of the Church, to be submitted to the Episcopal College, were then unanimously adopted and passed."

(3) The Annual Synod of *St. Andrews, Dunkeld, and Dunblane* was held in S. Ninian's Cathedral, Perth, on August 28th,[s] and the *Visitation*[t] in the same place on the following day. (a) Before the business began, the Litany was sung, and the Bishop preached a very beautiful *Sermon*[u] to this combined meeting of the Clergy and Laity of his Diocese. After commenting on his text, 2 Tim. iv. 5, "Make full proof of thy ministry," he enlarged *first* upon "the gifts common to all alike," both Clergy and Laity, i.e., those which we "have all alike received in our Baptism, in our Confirmation, and in our admission to the Holy Eucharist." These oblige us all alike "to shine as lights in the world and to be as the salt of the earth." *Next* he took up the points of the special Ministry committed to the Clergy, and *then* passed on to say:—"But,[v] my brethren, it will be a great and fatal mistake if we suffer ourselves to suppose that the delegation of the stewardship in the case of a Layman's Ministry, because less formal and apparent, is therefore less real." "Birth, rank, wealth, position, profession, trade, ownership, or occupation of lands, intellectual gifts, education, experience of men and things, health, strength—these gifts are bestowed on you in order that you may advance the glory of God, may edify the Church of Christ." "And how will you seek to effect this? Not by subordinating the end to the means—*not* by pursuing *first* what may appear to be social or political advantages and leaving the Kingdom of God and its righteousness to shift for itself as best it may. No! A Christian Layman, who acts thus, sins against the Spirit of Truth, to whom he owes all that he has and all that he is, *but* by seeking just what God will require first, and leaving to his bounty and His wisdom (not indeed without our own best labours and endeavours) to provide the rest." "It[w] may be that hitherto the title of Layman has passed

[s] S.E.J., 1855, pp. 144-5.
[t] S.E.J., p. 149. [u] Ibid. p.153. [v] Ibid. p. 154. [w] Ibid. p. 156.

among us, not as a name of high and holy and divine significance, but merely as a negative term. Now we shall think of it, as it really is. Now it will be understood that, if we (the Clergy) have received an unction, which separates us from *you*, for the performance of more solemn offices, you also have received an unction, which separates you from the world, for the performance of duties, which are still sacred and precious in God's sight."

(b) "After[x] the Sermon the Clergy and Laity removed to that part of the Cathedral, which had been curtained off for the purpose, and took the places respectively assigned to them—the Clergy being arranged so as to form the outline of the area, within which the Laity were seated." The Bishop announced that he had issued invitations to about 90 Laymen—Trustees, Managers, Vestrymen, etc.—and, comparing that with the numbers actually present, observed that "it was still the day of small things."

(c)"And[y] now, in the first place," he continued, "you will naturally expect and desire to know what is the business and *what are the objects* I have more particularly in view in taking upon myself, as I have done, to request your presence on this occasion. To answer the question in one word—my objects are to enable the Diocese to do its duty to itself and to enable the Bishop to do his duty to the Diocese." Here he pointed out that the "Church Society," however good its work in its own sphere might be, was not competent to develop the possibilities of the Diocese. "We must help ourselves if we wish to be helpful to any good purpose. It is also true that no society or body of men (such as a Diocese) can exist in a vigorous or healthy state without enjoying occasional opportunities for mutual counsel and collective deliberation." While, therefore, he considered that the admission of Laymen as constituent members of Clerical Synods was "a very questionable expedient," yet it was for the Church's good that they should "assemble together as we have done to-day, so as

[x] Ibid. p. 149. [y] Ibid. p. 150.

to accomplish every purpose, which either requires our joint action or falls within the scope of our common deliberation."

"And here let me explain why I have thought it better to speak of our present meeting as a *Visitation*, rather than to call it a Convention, or by any other similar name. The word 'visitation' in its ecclesiastical sense is the same as 'oversight,' and by a Visitation we may properly understand any process in and by which a Bishop performs an official act of oversight or inspection towards his Diocese."

(d) The Bishop[z] then distributed copies of a scheme for a *Diocesan Association for Church Purposes* as follows:—

First, To organize annual collections through the offertory and otherwise for the following purposes:—

(a) The Church Society as heretofore.
(b) The educational schemes of the Church; also as at present.
(c) The endowment of the Bishopric.
(d) The endowment of each Incumbency.

Second, To raise subscriptions and make grants in aid of:—

(a) The establishment of new Congregations.
(b) The establishment of new Schools.
(c) The provision of means for the retirement of aged and infirm Clergy.
(d) The education of the children of Clergy, who have large families.

Third, To print and circulate Tracts.

"The Association to consist of:—(a) The Bishop as President, Two Clerical Secretaries, and a Lay Treasurer. (b) The Incumbents and all Lay Officers of the several Congregations *ex officio*. (c) All Laymen of the Diocese, who subscribe."[a]

(e) After this the Meeting went on to consider:—The Statistics of the Diocese; The Report of the Committee on Church Constitutions; The Diocesan Association (in his

z "Annals of My Life," vol. ii. p. 194. a S.E.J., 1855, p. 150.

"Annals"[b] the Bishop remarks, "The Prospectus was evidently too ambitious to be adopted at that time"); The Capitation Grant in aid of Schools; The Orphans' Home, Crieff; and The Diocesan Association of the Church Society.

(4) In December, the *Bishop of Moray and Ross*, "in furtherance of the Resolution adopted to organize a Lay Conference for the Diocese, circulated among the Wardens and Vestrymen of the respective Congregations copies of the *Rules and Regulations*, on which it is proposed to constitute the Conference," accompanied by a printed note from his Reverence, containing the substance of what he had said to the assembled Clergy and Laity.

And so the year ended.

VII. 1856. The two Bishops still persevered with their efforts to secure the attendance of their Laity at ecclesiastical assemblies having Diocesan authority:—

(a) On August 27th the "Bishop[d] of *St. Andrews* held his *third Annual Visitation*, on the day following the Synod, in the Cathedral." On this occasion the Clergy sat, not according to their own seniority, but "according to the date of their several Incumbencies." "The Bishop expressed his regret that several of the Laity, who had taken a friendly and active interest in their proceedings last year, and who, he had reason to know, were fully intending to be present on this occasion, had unhappily been prevented by various special circumstances from favouring them with their assistance." The proceedings of the Meeting were opened by the delivery of the Bishop's Charge on "The power and source of Ordination," which, though it was an elaborate address[e] of great ability, learning, and earnestness, appears not to have been afterwards printed.* The Charge was followed by a discussion on the Diocesan Statistics, and another on the Bishop's proposal for the formation of a Diocesan Association.

b Annals, vol. ii. 194. *c* S.E.J., 1855, p. 209.
d S.E.J., 1856, p. 149 *e* "Annals of My Life," vol. ii. p. 203.

* It does not appear in the "Scot. Eccl. Journal," nor in any of the volumes or pamphlets in Perth Cathedral Library, nor is it mentioned by the Bishop of Salisbury's catalogue of his uncle's works. It was, however, used in the author's "Outlines of the Christian Ministry."

(b) All that is recorded of the meeting of the Diocese of *Moray* is as follows:—"The[f] Lay Conference for the Diocese met for deliberation on Aug. 17th."

VIII. 1857. In this year, apart from these diocesan efforts, there are some things to be noted:—

(a) In February [g] "*A Scottish Churchman*" was moved by the irresponsiveness and dryness of the Church, and also by the fact that, "when any external attack is made upon it, it is at once discovered that without the aid of the Laity the Clergy can do nothing—that their voices will not be heard in those courts of the world, to which it is necessary to carry the witness of the Church," to maintain that, "if our spiritual fathers wish for internal renovation amongst ourselves, or external power of resistance from the assaults of others, let them take steps for giving some constitutional existence to the Laity." And in March, "*Presbyter*"[h] followed this up by asking how this "constitutional existence" could be best given them. He replied to his own question thus: "The admission of the Laity to Diocesan Synods has already been discussed and rejected by the majority of the Synods. It was felt to be an unwise and unnecessary departure from the traditions of the Church. It was, however, suggested at one Synod (Aberdeen) that it was still quite competent for a General Synod to institute a Convention or Council composed of a mixed assemblage of Clergy and Laity, which should manage the financial and temporal affairs of the Church generally. The suggestion struck me at the time as admirable."

(b) At the first Synod[i] of *Aberdeen* (August 5th), which was presided over by Bishop Suther, the Rev. G. Rorison presented and supported by a long speech the following petition signed by Professor Grub and 12 other Laymen:—

"That your petitioners believe one of the chief practical deficiencies of the present system of the Church in Scotland to be want of due and legitimate provision for the co-operation

f S.E.J., 1856, p. 149. *g* S.E.J., 1857, p. 26. *h* Ibid. p. 44. *i* Ibid. p. 130.

of the Laity in connection with the administration of the affairs of the Church.

"That your petitioners are strongly impressed with the conviction that longer postponement of the consideration of this subject will increase the evils, which have already arisen, and render their correction at a future time more difficult.

"That your petitioners respectfully declare for themselves, and also for their brethren, the Laity of the Diocese generally, so far as they have means of knowing their opinions, that they have no wish for any ecclesiastical position inconsistent with those exclusive powers, which the Catholic Church has always held to belong to the Bishops and Clergy. And they are of opinion that the privileges conceded to the Laity should be subject to such qualifications and restrictions as may be thought advisable.

"May it therefore please your Venerable Synod to take under your consideration the propriety of admitting the Laity to a share in the administration of the affairs of the Church, and with that view to make provision so far as is competent by Diocesan Canon, and to take such other steps as may seem proper for ascertaining the general sense of the Church."

The Synod received the Petition with unanimous satisfaction and appointed a Committee to confer with the Petitioners.

(c) There is no sign of the *Moray and Ross*[j] Lay Conference having met this year. Probably the response to the Bishop's invitation had not been satisfactory.

(d) But the Bishop of *St. Andrews*[k] still persevered. On the day following the Diocesan Synod (August 26th), the Visitation was held in the Cathedral as before. However, "the attendance of the Laity was smaller than usual, owing to the great Bazaar in behalf of the Public Baths and Washhouses being held on this day at Pitfour Castle, on which the whole local interest was concentrated." Amid these circumstances, the Bishop "thought it better to dispense with

j S.E.J., 1857, p. 142. *k* Ibid. 144.

anything in the nature of a formal Charge; because, knowing the strong attraction which existed in another quarter, he was anxious not to detain the Laity unnecessarily.' There was some discussion on the state of the Diocese, Schools, the Church Society, and the Disabilities of the Scottish Clergy.

(e) But the whole *Lay Movement received a set-back this year, from which it took long to recover.* For "In[l] the summer Bishop A. P. Forbes of Brechin delivered his *Primary Charge*, which introduced the *Eucharist Controversy* in a somewhat acute form into Scotland." This controversy raged with great violence for three or four years to the exclusion of every other topic, and, instead of the rights of the Laity, nothing but the Trial of Bishop Forbes; that of Rev. P. Cheyne; the position of the Scottish Office; and similar points, such as the differences between the Bishop of St. Andrews and his Cathedral Chapter, received much attention.

IX. 1858. In this year only the two following signs of the Lay Movement appear above the flood of the Eucharistic Controversy:—

(a) Although all that was done at the Diocesan Synod of *Moray and Ross*[m] in connection with the Lay question, was that a Layman, who petitioned, was allowed to be present during the discussion, the Bishop of *St. Andrews* made one more effort to assemble his Laity for his *Visitation*. It met, as usual, on the day after the Synod, in the Cathedral. In addressing the meeting, the Bishop said[n]:—"He had been strongly advised by many, whose opinions he ought to regard, not to abandon the attempt, which he had been making for a few years, to bring together the Clergy and Laity, and especially the Lay Officers of the Diocese. He mentioned that he had had several kind answers to his invitation from Laymen, who were unable to attend." "The results as yet seem small, as, indeed, might be expected, but I would remind you of the words of the Roman historian—'Parva

l Bp. of Salisbury's "Episcopate of Charles Wordsworth, p 84.
m S.E.J., 1858, p. 141. *n* Ibid. p. 152.

non contemnendo majores nostri hanc tantam rempublicam fecerunt!' ''

Church extension, Education, Charitable Institutions, and some other matters, including the projected Diocesan Association, were discussed. "At the close several of the Laity expressed their satisfaction in being present and taking part in these proceedings.''

But it was the last of these Visitations. The new Controversy, with all its heats and ramifications, and the disputes at the Cathedral, coming upon the top of the slowness of the Laity to respond, destroyed them. The efforts, however, of the two Bishops (Eden and Wordsworth) redound to their honour, and were by no means in vain. The Church was as yet only in the early stages of the Lay Movement.

(b) Just when the Moray and St. Andrews experiments had thus come to an end, a Church Extension Association was founded in *Edinburgh*,[o] its object being to furnish the Laity with a recognised means of working for the Church. But, as it would be more fittingly dealt with in a history of our ecclesiastical *Finance*, it need not be described more at length in these pages.

o S.E.J., 1858, pp. 68, 165, 192.

CHAPTER IX.

PREPARATIONS FOR A GENERAL SYNOD, 1859-1861.

I. JUST when the tentative beginnings of Lay Representation, described in the last chapter, seemed entirely to have failed, several real steps in advance were taken:—

(a) In its number for April, 1859, the "Scottish Ecclesiast: Journal"[p] recorded that *a proposal was on foot to hold a General Synod.* Commenting upon that suggestion, it expressed its opinion that the time for such a move was inopportune. "Many a sphinx has already taken up her position with the view of posing the nascent Synod with pernicious and perplexing questions. Like the Scion of a sickly house, it is foredoomed to undergo an amount of torture, which must either shorten or embitter its existence. A General Synod at this time, sitting in judgment upon doctrinal and judicial questions, would be like the Cave of Winds, without Œolus to control them. All the various storms, which have swept through the Church during these several years past, would there meet together, to work out in close conflict the product of their dissensions:—

> 'Illi indignantes, magno cum murmure, montis
> Circum claustra fremunt.'"

However, as there were very many questions requiring settlement, and as a General Synod would be a most desirable thing, if peaceful discussion were secured, the writer proceeded to remark on the subject, with which these pages deal:—"What seems to be the surest and safest step towards a settlement of the Lay Question is such a reconstruction of Canon XI. as will make the Church Society more of a *Corporation* than it is. We ought to have in connection with the Society (1) an association in each congregation; (2) an association in each Diocese; (3) a ruling body to take the

[p] S.E.J., 1859, p. 56-7.

place of the present unwieldy General Committee." "We should thus have a field, in which the Clergy and Laity might safely act together; the poorer members of the Church would be encouragd to become members of the Society, and all, both Clergy and Laity, feeling that they had a direct share in the whole management of the Society, would exert themselves in its behalf with renewed zeal."

(b) Such was the suggestion of the "Scottish Ecclesiast: Journal." Another came from "A S. Andrews Incumbent,"[q] who, stirred by the letter of David Burn,[r] in which the example of the Canadian Church, as admitting Laymen to Ecclesiastical Courts and to a vote in the election of Bishops, was held up as an "awful warning," proposed[r] that the coming General Synod should so legislate as that Laymen should at least have the right of expressing their opinions in the General Synod.

(c) "At the annual Episcopal Synod[s] of Nov. 9, 1859, the Bishop of S. Andrews moved for a General Synod for the purpose of the revision of the Canons, and his motion was successful."

(d) "In[s] preparation for this important gathering, *a mixed Committee of Clergy and Laity was appointed to report upon the existing Canons.*"

(e) On April 18th, 1860, the Dean of Edinburgh (Ramsay), speaking[t] in the Diocesan Synod as "Convener of a General Committee of the Church on Canons, . . . gave some account to the Synod of the progress made by them in the matter." The point, which concerns us in his speech, is that he mentioned "*that the admission of the Laity, under certain conditions, was approved by the Committee, and would be recommended by them in their report.*" "Great unanimity," he said, "prevails amongst the Committee." The tide was distinctly rising.

(f) "We[u] trust," exclaimed "Presbyter" in the "Scottish Ecclesiast. Journal," "that brighter times are dawning

q p. 142. *r* S.E.J., 1859, p. 112.
s Bp. of S.'s Episcopate of Bp. of C.W., p. 149 and S.E.J., 1859, p. 199.
t S.E.J., 1860, p. 88. *u* Ibid. p. 127.

for the Scottish Church, and, now that the late controversies are over, there is a hope that the attention of her members may be won to certain practical matters, which have been hitherto too much overlooked." "If our Diocesan Synods can be so reconstituted as to include representatives of the Laity—if the Bishops will put themselves at the head of a movement, which shall summon the Laity to take that active part in the affairs of the Church, which properly belongs to them—then there is (I firmly believe) not only hope, but every reasonable prospect that the Scottish Church will make such progress as she has not made for generations."

(g) During 1861 the Committee appointed to revise the Canons in view of the approaching General Synod continued to sit, but, beyond that, there is no recorded allusion to the Lay Question.

II. We may fill up the gap by glancing at a Pamphlet by W. A. Parker, Advocate, entitled "Vestry Organisation,"* and published in 1862. It was indeed well named, for in it he called upon the General Synod to pass a Canon to the following effect:—

(1) "Every male *seat-holder*, who shall, at the time, be (1) in communion with the Church, (2) a member of the Scottish Episcopal Church Society, and (3) 21 years of age, shall be entitled to hold the status and privileges of a Vestryman of the General Vestry of the Congregation, to which he belongs.

(2) "No layman, not being an enrolled member of the General Vestry of any Congregation, shall be qualified to give any vote or to hold any office or appointment provided for by this Canon; neither shall he have a *persona standi* in any Synod, Vestry, or other Court of the Church.

(9) "The Select Vestry to be elected at the stated annual meeting of the General Vestry, shall be associated with the Incumbent of the Church or Chapel in taking care and management of the concerns of the congregation, and of all matters and things relating thereto."

* Paton & Ritchie, Edinr., 1862.

(14) On the approach of the meeting of Diocesan Synod, "the whole of the Select Vestries within the Diocese shall be summoned together for the purpose of electing five of their number as lay representatives to attend the Diocesan Synod," with full powers except voting on doctrine.

(15) "On the occurrence of a General Synod the five lay members of each Diocesan Synod to elect one of their number to attend the General Synod.

(17) "On the occurrence of a vacancy in any Diocese, the nomination of a new Bishop by the Synod shall not take effect, unless such nomination shall be confirmed by a majority of the Select Vestries within the Diocese.'

CHAPTER X.

The General Synod, 1862-3.

But at last the long looked for day arrived. On August 8th, 1862, "The[v] General Synod opened its sittings in Edinburgh. Morning Prayer was said at S. John's Episcopal Church at 8.30 a.m.; which was continued during the sitting of the Synod. At 11 a.m. on the 8th there was divine service in S. Paul's, when the Litany was said by Dean Ramsay. The Bishop of Moray and Ross, *Primus*, officiated at the Communion Service—the Epistle being read by the Right Rev. the Bishop of Argyll, and the Gospel by the Right Rev. the Bishop of Brechin. The Sermon was preached by the Right Rev. the Bishop of S. Andrews from Psalm lxix. 6—'Let not them that wait on Thee, O Lord God, be ashamed for my sake.' At the conclusion of the service the Primus called upon the several members of the Synod to produce their nominations; which having been done, he duly constituted the Synod, and, after throwing himself upon the indulgence of the members, as having been elected Primus only about 48 hours ago, asked them to re-assemble in an hour's time in the Freemasons' Hall, since they possessed no Chapter House or suitable Vestry of their own. The Synod consisted of the 7 Bishops, the 7 Deans, and the 7 delegates from the Clergy of the Dioceses and the Pantonian Professor."

The absorbing question of the hour was the place to be assigned to the Scottish Communion Office, a matter which does not concern us here. It was not until the sixth day of the Synod that the Lay question was reached.

In discussing it (until Feb., 1863, when the final decision was at last reached), the Synod naturally tried all the various points, involved, in many various combinations, and followed many winding paths before the satisfactory solution was

[v] S.E.J., 1862, p. 121.

discovered. We will not endeavour to follow the discussion through all these intricacies, but, simply taking separately each point, which ultimately emerged, will try to trace its course as clearly as possible without reference to the various cognate points, with which it got entangled on its way:—

I. *First*, let us take the question as to *whether a vote should be accorded to the Laity in the election of Bishops*:—

1. *On the sixth day*[w] of the Synod (a) the *Upper Chamber* frequently mentioned this point, and it appeared that the Primus, S. Andrews, Brechin, and Aberdeen were explicitly in favour of extending the privilege to the Laity. Argyll, while expressing himself as generally in favour of the Lay Claims, did not happen to mention the point of the vote in Episcopal elections particularly. Edinburgh, being prevented by illness from attending, sent a letter, in which he explained that, while strongly in favour of Lay Claims in the abstract, he doubted the wisdom of granting them in the present state of public opinion; and Glasgow was evidently against them altogether. (b) In the *Lower House* the Dean of Brechin (Thom) summed up the result of their first day's debate on this question thus:—He "thought[x] that the discussion, which had taken place on the subject, was of great importance, as it showed, generally speaking, that the feeling was . . . that there ought to be such a representation of the Laity, as would enable them to give a vote in the election of Bishops."

(2) *On the seventh day* the debate (a) in the *Upper House* (which is reported only in the most abbreviated form) seemed to assume that the Laity ought to have the power in question, and that the only matter left was to discover the form, in which it should be granted. (b) In the *Lower House* other aspects of the Lay question absorbed the whole attention of the members.

(3) *On the eighth day*,[y] while the *Lower House* were excogitating a Canon of their own, *a proposed form* was sent down from the *Upper House*, which *was adopted* by the

[w] Ibid. p. 129-30. [x] Ibid. p. 131. [y] Ibid. p. 133.

Lower. It ran as follows:—"(7) When a vacancy occurs in a Bishopric, the said (i.e., Lay) Representative shall be duly cited by the Synod Clerk to attend the Synod called for the election of a Bishop in terms of Canon III. But the nomination and seconding of a fit person shall always proceed from the clerical members. When the Clergy have given their votes, the Lay Representatives shall form themselves into a distinct Chamber, and the Dean shall propose to them the name of the person, on whom the choice of the Clergy has fallen. If objection be taken to the person so chosen by two-thirds of the Lay Representatives, the Clergy shall proceed to a fresh election."

(4) But at this stage the General Synod was adjourned, and, along with other matter, the above proposed Canon was *sent down to the Diocesan Synods* for their opinions. The Diocesan Synods met in the end of August and the beginning of September, with the following results:—The Synod of Moray[z] was in favour of the proposal; that of Edinburgh[a] advocated a direct vote, and not merely a veto, being given to the Laity; that of S. Andrews[b] expressed itself to the same effect as that of Edinburgh; so also did Aberdeen[c]; so also did Glasgow[d]; Argyll[e] was satisfied with granting the power of veto; and Brechin[f] went no further than saying that any one, objecting to the election of a Bishop, was to appear and substantiate his objections before the Episcopal Synod.

(5) *Commenting on those results*, the "Scottish Episcopal Journal"[g] remarked:—"It is evident from the resolutions of the Diocesan Synods that the Laity will be admitted to a greater share in the election of Bishops than the General Synod proposed to give them at their last meetings" "At all the Synods the greatest harmony seems to have prevailed."

(6) The General Synod resumed its sessions on Sept. 30th:—(a) Prolonged and heated discussions took place as to whether they should proceed to immediate legislation or adjourn to February, 1863. The decision was ultimately in

[z] Ibid. p. 158. [a] Ibid. p. 160. [b] Ibid. p. 176. [c] Ibid. p. 163.
[d] Ibid. p. 166. [e] Ibid. p. 164. [f] Ibid. p. 159a. [g] Ibid. p. 154.

favour of adjournment, but with a reservation in favour of immediately *passing a provisional Canon* empowering the Laity to vote in the election of Bishops.* (b) This provisional Canon, in harmony with the findings of the Diocesan Synods, dropped the idea of confining the Laity to a veto, and conferred the direct vote upon them. *Its terms* (so far as they bear on our present point) were as follow:—They (i.e., the Laity) "shall have power, whenever the election of a Bishop or a Coadjutor-Bishop takes place, to elect a Lay Representative out of their own number." "The Synod Clerk shall summon the Lay Representatives in the same manner as the Clergy, and the said Lay Representatives shall attend and have power to vote at the said election."

(7) No sooner was this power conferred upon the Laity than *they were called upon to exercise it*. The late Primus, the Bishop of Edinburgh (Terrot), suffering as he was from the effects of paralysis,[h] urgently required the help of a Coadjutor in the Diocese. An election had indeed already been held on Sept. 17th, at which Dean Ramsay was returned; but, owing to the fact that there had been some party spirit displayed in the matter, that venerable ecclesiastic had declined the honour. Another election was therefore necessary, and it was exactly at this juncture that the Laity received the right of taking part in it. They prepared at once to do so. Representatives were chosen. "And," said the "Scottish Ecclesiastical Journal,"[i] "if we are to judge by what we have heard as to the order and unanimity of the elections, we should feel disposed to augur the most happy results. In no case, we are assured, has there been a contest or division." "On[j] Friday, Nov. 28th, the Diocesan Synod, along with the Lay Representatives appointed . . . under the provisional Canons lately passed by the General Synod, met in S. John's Church."

"The Holy Communion having been celebrated (for the first time at a meeting of Synod in this Diocese) at 11.45 a.m., the Synod was thereafter con-

* Ibid. pp. 207, 191. *h* Walker's "Three Churchmen," p. 180. *i* S.E.J., p. 193. *j* Ibid. p. 221.

stituted." The Dean, in the course of proposing the name of the Rev. T. B. Morrell, said:—"The election of this day must form an era in the annals of our Church. For the first time, Laymen will take part in the election of a Bishop. The Canons, under which this mode of proceeding has been sanctioned, have been called provisional Canons, as they will be reconsidered at the General Synod meeting, adjourned to Feb. 4th, when the whole Code will have to be finally adjusted and enacted. Alterations may then be made upon the details of those Canons, but, whether altered or not, we are justified in saying that these enactments have so far been successful, that a deep interest has been wakened amongst the Lay members of our Communion in regard to the privileges conferred upon them, and a sincere desire manifested on their part to carry out the provisions of the new law." The Rev. R. Henderson seconded the nomination. "The[k] Dean having put it to the Synod if there was any other person to be proposed, there was no response." Mr Montgomery remarked that, if Rev. S. Orde had been proposed he would have voted for him, but that that not having been done, he would vote for the Dean's nominee. The non-instituted Clerical voters concurred, and then "the return was duly filled and signed."

(8) When the General Synod resumed its sessions on Feb. 3, 1863,[l] there was some modification made in the method of appointing the Lay Representatives, but the right of the Laity to take part in Episcopal elections was put on a permanent footing. [m] *The Canon in its final form provided for the appointment of "Lay Representatives, who shall have a vote in the election of a Bishop"* (Canon iv. Sec. 1) *and such a vote as that*:—"*No person shall be held to be duly elected as Bishop unless he shall have obtained a majority of votes in each Chamber*" (Sec. 7).

II. We take up, secondly, the question of the *Admission of the Laity to Synods*. And we may observe at the outset that the same general agreement, that was found to exist with regard to their admission to a vote in Episcopal elections,

k S.E.J., p. 222. *l* S.E.J., 1863, p. 22. *m* Code of 1863.

did not prevail in connection with this second point. On the contrary, there were very conflicting opinions. Nevertheless, something here too was ultimately conceded to the Laity.

Confining ourselves in this section strictly to the question as to *what powers were proposed to be given to them in Synod*, and deferring to the next section the consideration of the method by which they should be invested with those powers, we find that the following was the course, which the discussion took:—

(1) On the sixth day[m] of the General Synod the point, now in hand, came to the fore. (a) In the *Upper Chamber, the Primus* was clear that representatives of the Laity ought to be admitted as constituent members of Diocesan Synods so far as to have the right of sitting and speaking in them. *The Bishop of Edinburgh* had no doubt that, speaking theoretically, the Laity had the right of sitting and voting in Ecclesiastical Synods, but that, practically, "until the Laity showed a much stronger wish for admission to the Church Synods than they have yet shown, he thought it inexpedient to introduce so fundamental a change into our Constitution." The *Bishop of St. Andrews* took a different line. He was not in favour of having the Laity sitting as constituent members of our Synods with rights. He held that Laymen should merely have the option of being present and of speaking, when invited by the Bishop. Thereupon the *Primus* ranged himself with the Bishop of St. Andrews. The *Bishop of Argyll* was "very anxious to see the introduction of the Laity into the deliberative assemblies of the Church," but did not at present define exactly in what capacity. The *Bishop of Brechin* had opposed the Episcopal Resolution of 1852, which was in favour of admitting the Laity into the Synods, and he was of the same mind still. The *Bishop of Aberdeen* was reluctant to express an opinion as yet. The *Bishop of Glasgow* maintained that "the question was not ripe for legislation." The upshot of all this discussion was that the Upper Chamber sent down four alternative

[m] S.E.J., 1862, p. 129.

schemes for the consideration of the Lower Chamber. No. 1 spoke of representation of the Laity as members of Diocesan Synod, pure and simple. No. 2, of appointing Lay Representatives as constituent members, with the right of *sitting* and *speaking*. No. 3, of Laymen having the right of being invited by the Bishop to be present and of speaking. No. 4, was against legislating at all in the meantime.

(b) When the matter was discussed in the *Lower Chamber*,[n] the Prolocutor (Dean Ramsay), who went furthest in favour of the admission of the Laity, did not venture to propose granting them access to, or any right of speaking in, the Diocesan Synods, but contented himself with advocating certain non-Synodical rights, and the Dean of Brechin summed up his impression of the debate by saying:—"The[o] discussion, which had taken place on the subject, was of great importance, as it showed, generally speaking, that the feeling was that *the Laity ought not to be admitted into the Synods* of the Church, as constituent members thereof."

(2) At this point the four alternatives came down from the Upper House, and appear to have caused *a rally in favour of the Laity*. For next day, on resuming the subject, the Dean of St. Andrews moved in the Lower House that "The Lay Representatives in the Diocesan Synod should, in virtue of their nomination, have the same right as the non-instituted Clergy to speak and advise upon all matters, that are brought under the discussion of the Synod, except on matters of doctrine." The Deans of Edinburgh, Aberdeen, and Moray and Mr Pressley supported the Dean of St. Andrew's motion. The Deans of Glasgow and Brechin and the Rev. Messrs Howard and Orde were utterly opposed to the presence of the Laity in Synod in any shape or form. But *Mr Ryde moved by way of compromise**:—The proceedings of the Diocesan Synod shall be open to all the male communicants resident in the Diocese (except under special circumstances, of which the Bishop shall be judge), and every such Layman shall be allowed to address the Synod upon the subject, which may happen to be under discussion,

n Ibid., p. 131. *o* Ibid., p. 131. * S.E.J., 1862, p. 133.

with the permission of the Bishop." And this motion was finally carried by 10 to 3, and accepted by the Upper Chamber.[p]

(3) When the General Synod was adjourned and the point was *brought before the Diocesan Synods* at the end of August and beginning of September, the result was:—

(1) Against the admission of the Laity altogether—Argyle[q] and Glasgow[r]—2.

(2) In favour of the draft Canon—Edinburgh,[s] S. Andrews,[t] Moray[u]—3.

(3) Doubtful—Brechin,[v] Aberdeen[w]—2.

(4) The *Scottish Ecclesiast. Journal*[x] *remarked* that the Laity "have already been allowed to speak freely at several of the Synods, and their counsel has been felt to be of great advantage. The Chancellor of S. Andrew's took an active part in the Synod and made several important suggestions." Dr Gruby also was prominent in the Synod of Aberdeen.

(5) The point, which we are at present considering, does not seem to have come up at all amid the excited atmosphere of the adjourned meeting of the General Synod of Sept. 30-Oct. 5, 1862.[z] But, when it re-assembled in February, 1863, a definite conclusion was arrived at.[a] "No reports or votes of the discussion in the Upper Chamber were taken, excepting with regard to the Scottish Communion Office"; and the Lower Chamber, although they are recorded[b] to have discussed several closely related points, do not seem to have gone back upon the precise one, which we are considering, but the Canon, as finally enacted by the General Synod, ran as follows:—"*The*[c] *proceedings of every Diocesan Synod shall be open to all the male communicants resident in the Diocese, except under special circumstances, of which the Bp. shall be judge. Every such Layman shall be allowed to address the Synod upon the subject, which may happen to be under discussion, with the permission of the Bishop.*"

p S.E.J., 1862, p. 158a. *q* S.E.J., p. 164.
r Ibid, p. 166. *s* Ibid., p. 160. *t* Ibid., p. 176. *u* Ibid. p. 158.
v Ibid., 158a. *w* Ibid. p. 163. *x* Ibid., p. 154. *y* Ibid., p. 163.
z Ibid., pp. 187-191. *a* S.E.J., 1863, p. 30. *b* Ibid. p. 22. *c* Canon xl.

III. We come now[d] to the *Method, by which the Lay Representatives were to be appointed*:—

(a) It was obvious that there were many ways, in which this might be done. And in fact many proposals were made. On the sixth day of the General Synod no less than three plans were suggested in the *House of Bishops*. The Primus moved that "Each *Diocesan Synod* shall (or may) nominate a certain number of Laymen in the Diocese." The Bishop of St. Andrews moved that "Each *Bishop* shall be at liberty to invite to his Diocesan Synod any of the Laymen who take a helpful and intelligent interest in the affairs of the Church." The Bishop of Argyll, again, "Thought that they should be truly representative, and should neither come in by nomination of the Bishop, nor by election of the clergy, but *by nomination from amongst themselves from the communicants deputing or electing one or more representatives*." The Primus withdrew his proposal in favour of that of the Bishop of St. Andrews. The Bishops of Glasgow and Brechin, as not wanting Lay Representatives at all, had, of course, nothing to say about the method of their appointment, and the Bishop of Aberdeen had not made up his mind. The result, therefore, of that morning's debate was that *four alternatives*[e] *were sent down to the Lower House*:—

(a) That the male communicants of three years' standing in each Congregation should nominate the Lay Representatives.

(b) That each Diocesan Synod should nominate a certain number of Laity in the Diocese.

(c) That each Bishop should be at liberty to invite certain Laymen to the meetings of his Diocesan Synod.

(d) That it was not expedient to legislate upon the matter at present.

(2) *In the Lower Chamber*, (a) before the reception of the Bishops' alternatives, Dean Ramsay had moved a motion almost identical with the Bishop's first alternative, except that he limited the number of congregations, which should

[d] S.E.J., 1862, p. 130. [e] Ibid., p. 131.

have the privilege of electing Lay Representatives to those, which were in charge of instituted Incumbents. But, as we have already seen in previous paragraphs, the mind of the Lower House at this time was to have as little to do with the Laity in Synods as possible. (b) However, next day, after the reception of the Episcopal alternatives, the Dean of St. Andrews took heart of grace and moved a motion substantially the same as the first alternative, giving the appointment of the Lay Representatives to the Communicants in the various Congregations. The Dean of Glasgow, supported by the Dean of Brechin, Mr Howard, and Mr Orde, declared that the motion was "extremely detrimental to the Church—so democratical!" Rev. W. G. Shaw spoke in favour of "Alternative No. 3," by which the Bishops should have the summoning of the Laity, whereupon Rev. W. Wood thought that this "would be offering an insult to the Laity, if it were put in operation!" The Rev. J. Ryde thereupon brought forward an entirely fresh proposal in connection (not with the appointment of those Laity, who were to take part in the election of Bishops) but only of those, who were to sit and speak in Synod. It was to the effect that *any Communicant Layman, who liked, could of his own accord resort to the meetings of Diocesan Synod; be present during its debates; and even speak with permission of the Bishop.* This was carried by 10 to 3, but it still left the mode of appointment of those Laity, who should take part in the election of Bishops, unsettled. That, however, was immediately decided also, for, after a communication from the Upper House, it was resolved that:—"*The Lay Representatives for the election of Bishops shall be elected by the male communicants of 21 years of age in every Congregation, of which the Clergyman is an instituted Incumbent.*" And so one method for appointing Lay Representatives for the election of Bishops, and another for those attending the Diocesan Synods were now sent down from the General Synod for the consideration of the Diocesan Synods.

(3) Let us take the two separately *in their course through the Diocesan Synods*:—(a) *As for the appointment of the Lay Representatives for the election of Bishops.* In favour

of the proposal that the male communicants of each Incumbency should elect the Lay Representatives were the Synods of Moray[f]; Glasgow[g]; Aberdeen[h]; and St. Andrews[i]—a clear majority. Argyll, though agreeing that Lay Representatives should take some part in Episcopal elections, yet rejected the proposal that the Incumbencies should elect them, and asked the General Synod to devise some other plan. It is not clear from the reports what line the Synods of Edinburgh[j] and Brechin[k] took in connection with this point. (b) *As for the mode of the admission of the Laity to sit and speak in the Diocesan Synods* this was very little discussed, because but few would entertain the idea of the Laity sitting and speaking in the Synods at all. *Against* were the Synods of Aberdeen,[l] Glasgow,[m] Argyle,[n] and Brechin.[o] (The Reports of these, however, are given rather imperfectly in S.E.J.) In favour of the Bishop inviting certain Laity to his Diocesan Synod were Moray[p] and S. Andrew's.[q] The Report of Edinburgh[r] leaves its finding in doubt.

(4) And so we come *back to the General Synod*, which resumed its sittings on Sept. 30th. In the provisional Canon then passed for the admission of *Lay Representatives* to take part in Episcopal elections, it was provided[s] that the Lay Representatives should *be elected by* "*all*[t] *Vestries* holding office under a regular constitution duly approved by the Bishop of the Diocese and consisting of not less than four Lay members of full age." Nothing was done at this time about the admission of the Laity to the meetings of Diocesan Synod.

(5) *In the adjourned meeting of the General Synod* held in February, 1863, the Canon, on the appointment of Lay Representatives for the election of Bishops, ran in its final

f S.E.J., p. 158.

g S.E.J., 1862, p. 165—The report seems to be imperfect. I gather, however, that though the method of appointing the Lay Representatives was not *discussed*, it was *carried* along with the rest of the Canon.

h Ibid., p. 162.

i Ibid., p. 176—Report imperfect. As, however, section 7 dealing with the veto was objected to, I conclude that the other section, not being mentioned, were approved of.

j Ibid., p. 160. *k* Ibid., p. 159a. *l* Ibid., p. 163. *m* Ibid., p. 165-6.
n Ibid., p. 164. *o* Ibid., p. 159a. *p* Ibid., p. 158. *q* Ibid. p. 160. *r* Ibid., p. 176.
s Ibid. p. 191. *t* do.

form to the effect that—"*In all Congregations,*[u] *which have been formed into Incumbencies, the male communicants of not less than 21 years of age shall have power to elect the Lay Representative.*" And that dealing with the mode of admission of the Laity to sit and speak in Diocesan Synod, which the reader will find already quoted in II. 5 of this chapter, evidently left the *personal inclination of the Lay Communicant* as the authority summoning,[u] or not summoning him, to be *present* (subject only in certain cases to the veto of the Bishop), and the *permission of the Bishop* was the Layman's authorization to *speak* in the Synod.

IV. One privilege was accorded to the Laity in the completed Code of 1863, of which, curiously enough, nothing is recorded[v] in all the long course of the debates. It was this: —"That *Lay Readers and Catechists* might be appointed by the Bishop of the Diocese for populous and outlying districts."

V. (1) Another opening for Lay activities was several times mentioned in the discussions; i.e., the meetings (both Diocesan and General) of the *Church Society*, the financial organ of the Church. That the Lay Representatives should have it as part of their *duties* to attend such meetings was moved[w] on the sixth day by Dean Ramsay; on the seventh Dean Thom spoke[x] in favour of this proposal; and on the eighth, when it came down as § 6 of proposed Canon XI. from the Bishops, it was accepted by the Lower House.

(2) When the point was referred to *the Diocesan Synods* in the recess of the General Synod, not much was heard of it. It is not mentioned in the reports of the Synods of Brechin[y]; Aberdeen[z]; and Glasgow[a]. It is assumed as being part of the Lay Representatives' duty by the Synods of Edinburgh[b] and S. Andrews[c], and it was, apparently with intention, dropped out of the forms of the Canon proposed by Moray[d] and Argyll[e].

u Canon xl. *v* S.E.J., 1863, p.30. *w* S.E.J., 1862, p. 131. *x* Ibid., p. 133.
y S.E.J., 1862, p. 159a. *z* Ibid., p. 163. *a* Ibid., p. 165.
b Ibid., p. 160. *c* Ibid., p. 176. *d* Ibid. p. 158. *e* Ibid., p. 164.

(3) *It was not dealt with, when the General Synod re-assembled* in the end of September and beginning of October; and, when the Canon was finally enacted by the meeting of Feb., 1863, we are somewhat surprised to find that so likely a proposal had not been passed into law.*f*

VI. It is worth mentioning that another method of meeting the Lay Claims, of which more was to be heard long afterwards, was just mentioned in the debates:—On the seventh day Rev. Mr Pratt "submitted*g* a draft of a proposed new Canon on this subject to the effect that there should be two bodies, to be called a *Diocesan Convention*, including Bishops, Clergy, and Lay Representatives, and a *General Convention*, consisting of the Primus, Bishops, Deans, and Delegates, and as many Representatives of each Diocese as there are Delegates." But the days of Consultative Councils were not yet, and nothing more was heard of the proposal.

VII. Thus the General Synod of 1862-3 found the Laity with no recognised rights in the government of the Church, except what was canonically accorded to them in the matter of Finance in the Church Society, which had been founded by the General Synod of 1838, and what was extra-canonically wielded by them through the Vestries. There were those, to be sure, who had hoped that the great assembly, of which an account has just been given, would have conceded far more than it did actually grant. But, when three things are taken into consideration:—*first*, that it was really the question of the Scottish Eucharistic Office, which was absorbing the attention of the General Synod; *secondly*, that some were claiming more for the Laity than many, even of the more progressive ecclesiastics could conscientiously grant; and, *thirdly*, that so clear and robust a mind as that of the Bishop of Edinburgh, himself in favour of the largest concessions to the Laity, thought that in the then state of public opinion it would be altogether premature to grant such concessions—when these three points are taken into consideration, it must be acknowledged that, altogether, our General

f See below Chap. xix.—"The Edinburgh Conference," section 11.
g S.E.J., 1862, p. 162-3.

Synod deserved the gratitude of the Laity for what it did by way of enlargement of their powers.

It authorised the Lay Communicants of Incumbencies to elect Lay Representatives: it granted to those Representatives power to record their votes in Episcopal elections: it threw open all Diocesan Synods to the presence of the Laity, and gave them permission to speak at those assemblies with the leave of the Bishop: it opened up opportunity of fresh work for them by instituting the offices of Lay Readers and Catechists. And thus the controversy of the past eleven or twelve years resulted in the end by steps being taken, which mark an era in the history of the disestablished Church of Scotland!

CHAPTER XI.

After the General Synod, 1864-9.

I. There was no making of history in connection with the Lay Question for some time after the close of the General Synod. There were several reasons for that; but, although there is much, which might well be said, we shall not enlarge upon them now, and the following allusions must suffice:—

(a) It was no doubt felt that of late there had been more than enough of controversy, especially in connection with Eucharistic matters. A lull was therefore welcome.

(b) Again, the efforts of Churchmen were being directed towards a reform of the old Church Society. In the meantime their labours resulted in no more than the appointment of Congregational Finance Committees.[h]

(c) Endeavours, moreover, were on foot to secure legislation, by which the last remnants of the penal laws should be swept away, and Clergy, ordained by the Scottish Bishops, allowed to hold livings in England.[i]

(d) There was also another reason, which makes our record of the period more scanty. For "The Scottish Ecclesiastical Journal," which has hitherto supplied us with copious information, now fails us. Despite the ability, with which it had been conducted, it came to an end with its number of Dec. 31, 1863. True, it was succeeded by the "Scottish Guardian, which appeared as a monthly in Feb., 1864. But this new venture did not, to begin with, aim at being a newspaper so much as a magazine, which provided its readers with articles in the first instance, and a summary of the more important items of intelligence only secondarily. The number of Pamphlets, moreover, which were issued, seems to have dwindled to nothing.

h See Chap. xix. ii. 2.
i W. Stephen's "History of the Scot. Church," vol. ii, p. 645-6.

II. For such steps, therefore, as were taken in connection with the Lay Claims, we must be satisfied with the notices which appear in the pages of the "Scottish Guardian." These let us group under the following heads:—

(1) Let us see how the Church availed itself of the permission granted by the late General Synod in the matter of appointing *Lay Readers*. And the fact seems to be that it was at first shy of the privilege, which had slipped so quietly into the Code of Canons:—

(a) The reasons for this shyness were set forth in the *Report of the Committee appointed to consider the subject by the Synod of Glasgow in 1864*. All that they were prepared to recommend was:—"That[j] no active steps should be taken for giving effect to the provisions of the Canon further than that it should be generally made known to the Clergy that, in the event of their seeing their way to the employment of a suitable person to act as Lay Reader or Catechist in an appropriate sphere of duty, they are now at liberty to apply to the Bishop for his formal sanction of their undertaking." Two proposals for doing something further had been rejected by the Committee:—It was, *to begin with*, considered inadvisable to recommend the licensing of Schoolmasters, on the ground that they had already enough to do in their own proper sphere; *and next*, it was also suggested that the Bishop might be requested to address a Pastoral to the Laity upon the subject, calling their attention to the field of usefulness, which the provisions of the 39th Canon might lay open to them. *But* it was felt to be an objection that an indiscriminate invitation might not have the effect of calling forth those, who were best qualified for the purpose, while it would certainly involve the Bishop in the painful and invidious duty of declining the offers of those, of whose fitness for the office he was not convinced." It was, however, in the following final paragraph of the Report that the Committee shewed the true inwardness of the attitude, which they took up:—"The Committee were also impressed with the feeling that in a country, in which the Church is a wit-

[j] S.G., 1864, p. 456.

ness for Apostolic Order, and for the necessity of seeking Ordination before venturing to minister in holy things, it would be their duty to hesitate before giving their recommendation in favour of any plan, which, to the minds of people generally, might seem to confound the functions of Clergy and Laity, and thus to imply an abandonment of the principles, which they profess."

(b) In the Diocese of St. Andrews, a different lead was given. The Bishop (Wordsworth), who, as we have previously seen, had been forward to establish a mixed Diocesan Convocation of Clergy and Laity in the years preceding the General Synod, now set the example of putting Canon 39 into practice:—"We[k] are not aware," says the "Scottish Guardian" of March, 1865, "whether the power so given has been exercised before or not, but on Sunday last (Jan. 29) the Bishop of St. Andrews appointed in a solemn manner, the Right Hon. Lord Rollo to act in the capacity (of Lay Reader) in his Diocese. During the morning Service in the private Chapel of Duncrub, immediately after the Litany, Lord Rollo went forward to the Communion Rails, within which the Bishop was standing, and who read aloud the following form of appointment, which he afterwards handed to his Lordship:—'In virtue of the authority given to me by the Church, which has made provision for the appointment of Lay Readers to read the Common Prayer and Holy Scriptures in the public Congregation, I hereby authorise and appoint you to act in that capacity. And I earnestly pray that you may ever be guided and assisted by the Spirit of Truth and Holiness in the exercise of said function, and that your endeavours therein may be effectually blessed to the spiritual improvement and edification of those for whose benefit they shall be employed.' Lord Rollo then knelt down at the Communion Rails, and the Bishop, delivering into his hands the Bible, said:—'Take thou authority publicly to read the Common Prayer and the Holy Scriptures in the congregation of God's people assembled for His holy worship, and in this and all thy works, begun, continued,

[k] S.G., 1865, p. 117.

and ended in Him, may the blessing of God Almighty, the Father, the Son, and the Holy Ghost, be upon thee and remain with thee for ever. Amen.' We understand that the Bishop, accompanied by Lord Rollo, went over the same evening to Auchterarder, where an Episcopal service was held in the Church belonging to the Evangelical Union, which had been courteously offered for that purpose. There was a very large attendance. Lord Rollo read prayers, and the Bishop preached from Psalm viii. 4. We have reason to believe that a similar service will be held next Sunday in Dunning."

Nothing more is recorded on the subject of Lay Readers during the period covered by the present chapter. The inference probably is that the scruples felt by the Glasgow Diocesan Committee were pretty widely entertained, and that the example set by the Bishop of St. Andrews was not very largely followed.

(2) We come now to the election of *Lay Representatives* under the new Canon. These elections, no doubt, took place duly, but they are not chronicled in the "Scottish Guardian." Between 1864 and 1868 only the following allusions to them are to be there found. In the autumn meeting of the Diocesan Synod of Moray in 1864, "His[l] Grace the Duke of Richmond" is casually mentioned in connection with some other subject as "one of our Canonical Lay Representatives." In the same year, in Aberdeen, the Diocesan Association agreed that "the Canonical Representatives"[m] should be numbered amongst its members. At the meeting of the Aberdeen Diocesan Synod of Sept. 13, 1866, the election of the following Lay Representatives was reported:—[n]S. John the Evangelist's, Aberdeen, *G. Grub, Esq.*, Advocate, LL.D.; S. John's, Longside, *W. Hutcheson, Esq.* of Cairngall; S. Luke's, Cumineston, *J. Leith, Esq.*, Millfield; S. Matthew's, Meldrum, *J. Ramsay, Esq.* of Barra and Straloch; S. Drostan's, Deer, *J. Russell, Esq.* of Aden; S. Thomas's, Tillymorgan, *G. Harper, Esq.*, Mellenside; S. George's, Meiklefolla, *W. Leslie, Esq.* of Warthill; S.

l S.G., 1864, p. 451. *m* S. G., p. 453. *n* S.G., 1866, p. 504.

Mary's, Inverurie, *R. Innes, Esq.*, Bank Agent; S. Andrew's, Banff, *A. Morrison, Esq.* of Bognie; S. Margaret's, Forgue, *G. Cruickshank, Esq.*, Comisty; S. Mary's, Aberdeen, *John Ligertwood, Esq.*, Sheriff-Clerk.

At the Diocesan Synod of the same Diocese, held on Sept. 11, 1867, a supplementary list of elections was reported[o] by the Clerk as follows:—Woodhead, *Mr A. Wilson*; Banchory Ternan, *Sir J. H. Burnett, Bart.*; Peterhead, *Mr T. J. Bremner*; Kincardine O'Neil, *J. O. Forbes, Esq.*; Fraserburgh, *Lord Saltoun*; Ellon, *J. G. R. Gordon, Esq., Jun.*; Turriff, *A. F. Irvine, Esq.*; Monymusk, *Col. Fraser*; Arradoul and Buckie, *J. Gordon, Esq.*; and from Strichen, *Professor Ogilvie.*

A similar list was reported in the Synod of Brechin on Sept. 19, 1867.[p]

After the meeting of the General Synod of 1862-3, by which the office of Canonical Lay Representative was instituted, and the year 1872, no Episcopal election took place[q] in Scotland, and therefore the Lay Representatives were never called upon to exercise their function during this period.

(3) *Presence of Laity at Synods.*—The notices in the "Scottish Guardian" on this point are as follow:—

At the annual meetings of the Diocesan Synod of St. Andrews, held on Sept. 28, 1864[r]; Sept. 11, 1866[s]; and Nov. 7, 1867[t], the names of certain Noblemen and Gentry are recorded as having been present. The same is the case with the Diocesan Synods of Argyle, held on Sept. 13, 1865[u]; Sept. 19, 1866[v]; and Sept. 13, 1867[w]; in that of Moray, held on Oct. 9, 1867[x]; in that of Glasgow, Aug. 29, 1866[y]; and frequently in that of Brechin[z]. At the meetings of the others, although the names of the Clergy present are given, nothing whatever is said of the Laity. It is to be presumed, therefore, that the latter were not present. In many

o S.G., 1867, p. 441.
p S.G., 1867, p. 490. *q* Year Book of 1906-07, p. 59. *r* S.G., 1864, p. 501.
s S.G., 1866, p. 450. *t* S.G., 1867, p. 529. *u* S. G., 1865, p. 456.
v S.G., 1866, p. 500. *w* S.G., 1867, p. 435. *x* S.G., 1867, p. 482.
y S.G., 1866, p. 495. *z* S.G., 1866, p. 494.

instances, however, it is to be borne in mind that the meetings of the Diocesan Association of the Church Society, which consisted both of Laity and Clergy, took place on the same day and in the same place.

III. But after four years' working of the Canon, which gave the Laity the right of being present at the meetings of the Diocesan Synods, it began to be felt that there was something, which "cabined, cribbed, and confined" the exercise of the new privilege in practice. And so mutterings of a *desire for still further legislation* made themselves heard:—

(1) Indeed, so early as April, 1865, there appeared an *article* by Major Scott of Gala in the "Scottish Guardian"[a] on this subject to the following effect:—(a) "The present position of the Laity," it begins, "is admitted on all sides to be unsatisfactory. The astounding fact that the great bulk of the members of the Church have no voice in the Church's management, unless in the regulation of finance, is allowed on all hands to be anomalous and paradoxical." (b) The writer then goes on to find *the reason*, which is the cause of this state of affairs, and "it is our proximity to England," he says, "which has introduced amongst us a good deal of our English atmosphere." "We are anxious, to be sure, to have a most complete inter-communion, and we fully appreciate the English Clergy. Their education in the public schools and universities, the independence of thought which English free institutions impart, the stern opposition they show to congregational thraldom, all render them an indispensable element in the present social system." (c) *But* "we are by no means anxious that the English importation should be otherwise than provisional. *The Churches in Scotland and England have different missions to perform. The latter* is a Church established by law, dependent on State patronage, representative of the Government and of the law and, as such, her mission is at once secular and spiritual. She performs a political function and her

[a] S.G. p. 141.

spiritual wish is to retain England as it is. In Scotland she is dependent on the Laity for the building of her Churches and the payment of her Clergy." "The Church in England is not a voluntary body. The Laity have no control over her action as a Church. So long as she is under the State, she must do what the State bids her. *In Scotland* . . . it is contrary to all commonsense that the government of a voluntary body should be under the priesthood; that the Laity should have no voice in the management at all." (d) The writer then refers to the argument against his position from the *early Fathers* but answers it summarily thus:—"Even supposing the priesthood had ruled the Church, of which Constantine was the chief; even supposing S. Ambrose had no laity to proclaim him Bishop, the Church has a clear right to govern herself as appears to herself expedient in conformity with the manners of the times, so long as she does not violate the principles of the Church Catholic." (e) After all, however, he goes on:—"We do not complain of the delay, or with-holdment, of the privilege. It is well that no radical changes be made in the constitution, until the members of the Church see the necessity and understand the object of them; *but*, on the other hand, we believe that there is a very general conviction amongst all sections of the Church, that, until all classes are fully represented, she will make no great advance." Representation of the Laity "so far from damaging the power of the Clergy will greatly strengthen it." (f) "It is a matter, which should engage the anxious attention of the really 'movement' portion of the Church, as to whether the time has not arrived for *making a forward step*."

(2) But the matter was not left to be dealt with by unofficial journalism only. It made its appearance once more *in the Diocesan Synods*:—

(a) In that of *Glasgow and Galloway*, which met August 29, 1866,[b] a debate on the subject took place. The reader will remember that the late General Synod, while granting

[b] S.G., pp. 493-4.

the right of the Laity to be present at the meetings of the Diocesan Synods, had made no provision for summoning them thereto. It appeared to some that this was the weak point. So long as no definite, individual Laymen were asked to each assembly, few would come. Some notice and summons were necessary. And so *Mr Weldon* moved in the Synod of Glasgow:—*That canonical lay delegates and secretaries of congregational committees be invited to attend Diocesan Synods, subject to the provisions of Canon XXVI.* In seconding the motion, *Mr Oldham* "felt gratified that this subject had been brought forward. The only question, he thought, was as to whether the motion was in accordance with the spirit of the Canons of the Church. By enacting Canon xxvi., he contended that the General Synod must have meant that the Laity should be encouraged to come forward, and therefore any encouragement, which might now be given, was entirely in accordance with the spirit of the Canons. If, of course, the Bishop ruled that in the Diocese it was not competent for him and the Synod to invite those persons to be present, or that he, as a Bishop of the Church, did not feel it his duty to do so, he (Mr Oldham) was satisfied. But he felt that he would not be discharging his duty to the Church, if he refrained from giving his entire support to the proposal submitted by Mr Weldon." In the course of his remarks, he went considerably beyond the step advocated in the motion. "He might be wrong, but he distinctly held that the majority of the educated Laity of the Church would be perfectly willing to accept office as lay members of Synod, with a vote upon all subjects except those of doctrine." *Mr M'Ewen* proposed as an amendment:—*That Mr Weldon's motion be not agreed to, on the ground that it raises a distinction between the canonical lay Representatives and the male communicants, which distinction is not recognized by the Canons of the Church.* *Mr Jonas* supported Mr Weldon's motion. He regarded it as of the utmost importance that lay delegates should receive every encouragement to identify themselves with, or rather be incorporated into the Synod, as they would no doubt give a practical turn, so much needed, to the deliberations of the

Court. *The Clerk* said that, if a General Synod were called on the subject, he would be happy to consider what extension of privileges might be accorded to the Laity. It was, however, a question on which not one Synod, but the whole Church must move together. For them to take such a step at present would be stultifying themselves, breaking faith with the General Synod, doing what was *ultra vires* for any particular Synod to do, and conflicting with the spirit of the Canons. *Mr M'Ewen* said he was quite willing simply to propose *that Mr Weldon's motion be not agreed to. Mr Stephen* said that in the Diocese of Brechin the practice now sought to be introduced was followed. The lay delegates were invited to attend the Synod every year by the Synod Clerk, and the result was that they had at Dundee a very large attendance of the canonical lay Representatives. A *Layman* suggested that it might meet the case if the Bishop were to request Clergymen to intimate to their congregations the meeting of Synod a month before it was held. *The Bishop* (Wilson) said he was not prepared to say he could do that. *Mr Oldham* suggested advertisement in the newspapers, accompanied by invitation to lay communicants to attend. *Mr M'Ewen's amendment was carried by a majority.*

(b) In the following year (Sept. 11, 1867) a debate on the same subject took place in the Diocesan *Synod of Aberdeen.*[c] It was initiated by the Rev. J. N. Comper, who moved the following motion:—"Resolved that in the judgment of this Synod: (a) The admission of the faithful Laity into ecclesiastical assemblies to deliberate and vote on all matters, which do not involve decisions on questions of doctrine, or spiritual discipline, is not incompatible with Catholic principles. (b) Having regard to the special circumstances of the Scottish Church, the presence and assistance of the faithful Laity in such assemblies, under the aforesaid restrictions is highly expedient.

"(c) The time has now arrived, when it is most desirable that this question should be seriously deliberated and resolved on by the Bishops and Clergy, and the sentiments

[c] S.G., pp, 440-5.

and wishes of the Laity be ascertained so far as this is possible."

In supporting the resolutions, Mr Comper first gave an able outline of the history of the Lay Movement in Scotland since 1850. This need not be repeated here. He then went on to "notice the innovations made in respect of the Laity in the Episcopal Church of America, and to say that, though he could not go the same length, since they had no precedent for the Laity sitting *as constituent members* of Synod, they had abundance of precedent for their *presence* there. The Colonial, as well as the American, Church gave the Laity a place in their Synods. The peculiarity of the Scottish Episcopal Church was that it stood quite alone." After thus defining his position, the speaker went on to mention an evil which arose from the *status quo*:—"There was a want of mutual understanding and of mutual confidence between the Clergy and Laity. The latter undoubtedly felt their exclusion from the counsels of the former, and they could not but feel it, when they were looked to for, not only financial, but also such active, support, as was required in these times. This evil, he believed, would be very much mitigated by the admission of the Laity into the Councils of the Church." As to the charge of innovating:—"He maintained that this would not be innovating on the practice of the Church in any age, and that, if the Church were a living body, she would adapt herself to the circumstances of the age." Another argument in favour of his point was:—"The general diffusion of education, as compared with former times, when learning was mainly confined to the Clergy." As for the "thin end of the wedge" objection, Mr Comper held that, even if it were inserted, it would never be driven in too far, and in support of this view quoted from the Lay petition, which had been presented to the Synod in 1857. Turning to the practical results of his motion, if passed, he maintained that it would win the confidence of the Laity, and that "the work of home missions, now languishing, by the proper co-operation of the Laity would be carried forward. The Laity were now as able to organise and plan charitable works as the Clergy, and he did think that, upon the whole, there

was at present a very wide field open in Scotland." "On such grounds as these he rested the expediency of his motion."

Rev. W. Walker "said he was very happy to hear the speech of Mr Comper. He remembered the time when Dr Rorison and himself stood in a small minority of two in supporting a proposal for the admission of the Laity." But he did not think that even now Mr Comper went far enough. He therefore moved:—"*That, in the judgment of this Synod, the time has come when laymen may be admitted as constituent members of the Synod.*" On a vote being taken, Mr Comper's motion was carried by a majority of 2.

(c) In the same year (Nov. 7, 1867) the question was also debated in the Diocesan *Synod of St. Andrews*,[d] held in Perth.

The Dean (Torry) proposed:—"*That the admission of the Laity into Diocesan and General Synods, with a right to speak and vote on all questions, which do not involve matters of doctrine or ministerial discipline, is, under the circumstances of our Church, highly desirable.*".

Rev. N. Johnston seconded:—"Referring to the recent depressed state of the Church, he attributed the fact of its present comparative prosperity and advancement to the more active co-operation of the Laity. He therefore advocated a still further concession of influence to them."

Then three Laymen spoke.

Lord Rollo "felt it right to say that he and others were doubtful as to the expediency of the proposal. He feared that some might be disposed to promote it in order to derogate from the divine commission of the Clergy: others might be ready to take advantage of it to loosen the strict bonds of doctrine."

Sir G. Ramsay observed that "the Church consists, not of Clergy alone, but of Clergy and Laity, and both must be combined if the Church is to prosper. The appointment of Lay Representatives had given a great impulse in this

[d] S.G., 1867, pp. 540-3.

direction, and he hoped to see the principle more widely acted upon.

John Grant, Esq., "had no fear of any abuse of the Laity's power if permitted to take part in the Councils of the Church. He did not consider the concession should be looked upon so much as a boon to the Laity as imposing upon them a heavy responsibility."

Provost Fortescue, in a long speech, explained "that he would not look upon this matter as one of expediency, but as one, in which the question is, what is God's will as shewn in the constitution of His Church? He contended that all precedent was against the proposition."

Rev. George Forbes "was in favour of the motion. He would remind the Synod of the monarchical position of the Bishop in a Diocesan Synod. The Clergy could not control the *decision* of the Bishop; whatever their votes might be, he was not bound to act upon their resolutions. The admission of the Laity to equal privileges with the Clergy in this respect would not in the least degree alter the actual constitution of the Diocesan Synods."

Rev. Canon Humble objected to considering the question of admission of the Laity into *Synods*; but wished that means could be devised *to establish ecclesiastical meetings of a mixed character*, into which they might be admitted on an equal footing with the Clergy.

The Bishop (Wordsworth) explained his own views on the subject, as corresponding very much with the last suggestion. He referred to the methods, which he had adopted for years past to promote the interest and co-operation of the Laity in the affairs of the Church, especially by inviting them to *Visitations*, in which their voice would have been freely heard. But their admission into *Synods* would involve great difficulties, particularly from the necessity for discriminating what is clearly doctrinal and what is not so, which is by no means easy to do. He thought it advisable to enlist the co-operation of the Laity in every possible way.

The Chancellor (Guthrie Smith) suggested that the matter should be referred to the College of Bishops.

The Rev. J. Burton supported the propriety of there being two separate meetings each year: one the Diocesan Synod, the other a mixed assembly of Clergy and Laity for general purposes.

Provost Fortescue moved accordingly:—"*That the Bishop be requested to arrange for the holding of a Conference of Clergy and Laity in each year, in addition to the Diocesan Synod, in which Conference the Laity should have an equal right of speaking and voting with the Clergy.*"

This motion was carried unanimously.

CHAPTER XII.

Canon Humble's and Provost Powell's Pamphlets, 1870.

The Scottish Guardian, after appearing in January, 1868, was not again issued till June 1, 1870. If any pamphlets were published in 1868-9 they have not been seen by the present writer. There is here, therefore, an absence of information concerning the greater part of that period. Two striking and important pamphlets, however, published in 1870, are forthcoming:—

(1.) One was the production of the Rev. Henry Humble, M.A., Canon and Precentor of the Cathedral, Perth. Its title is "*The Rights of Faithful Laymen in the Church of Christ*" (Grant, Edinr.). It is characterized by a vigorous logic and a knowledge of Canon Law unusual in our days. Extending as it does to 82 pages, and consisting of an argument, which does not readily lend itself to condensation, it will be here represented, not, as in other cases, by an analysis of the whole, but by the quotation of the greater part of the *Introduction*, with certain additions from the body of the work:—

(a) "There is, I am well aware, a very widespread feeling amongst Churchmen, both Lay and Clerical, that the change, which has been made in the United States and in most of our Colonies, whereby for the first time in the history of the Church of Christ, *Laymen have been introduced into her Synods and Councils on an equal footing with the Clergy, is utterly wrong in principle.*"

(b) "*I candidly admit that the action of the United States and in Canada and New Zealand is not to be justified*, so far as I can see, by any historical precedent. I will even go so far as to say that I conceive that the admission of

the Laity into our own Diocesan Synods to speak upon all questions, subject only to the Bishop's veto, to which also the Clergy are liable, is a distinct invasion of the rights of the second order of the Ministry, who sit there charged with special responsibilities, which they cannot possibly share with any unordained person."

(c) "Still, I have long thought that a misapprehension exists on this point. There is a very great difference between the misapplication of a right principle and the adoption of one, which is altogether wrong. I hold that even the most extreme case we can meet with errs simply as a misapplication of what in principle is perfectly right. *The Laity*, in the earliest and best ages of the Church, from the Apostles' times down to certainly the 12th century, *did exercise*, and were meant to exercise a *very considerable influence*, both in the legislation and discipline of the Church."

(d) "*How they came to lose it* in the west (for of the east my want of knowledge does not entitle me to speak) is clearly enough traceable, if it be not distinctly stated. *The adoption of the monarchical principle* in the Church, and the gradual absorption of all other rights, of course, *entailed the loss* of those, which had been hitherto exercised by the Laity."

(e) "*A theory was afterwards introduced to account for this*. It was maintained that the *Regale* was, in a concrete form, the expression of the Lay voice, and that the general rights of Laymen, on the establishment of the Church, became merged in the functions of the Civil Governor. *But* that this is an unfounded assertion is shewn by the fact that, for nearly 1000 years after the Church's establishment, Laymen in some places still exercised the right of electing their Bishops, and of taking their places in ecclesiastical Synods, and that these rights continued to be asserted by successive Provincial Councils. Nay, even in this present Vatican Council, their right is so far acknowledged, in that several Laymen are present as officials, and by the fact of a gallery having been prepared for the reception of royal personages as spectators of what goes on at times."

(f) "But that the *Church has suffered very severely by the denial* (i.e., on the part of the Civil Governor) *of their just privileges to the Laity* is, I conceive, everywhere visible; (in particular) that the claims, which are now (in the Vatican Council) being so warmly debated on behalf of the first Prelate of Christendom, have grown to the height, which alarms so many, is the logical result of the movement, which began in the (State) denial of Lay rights. The new (papal) readings of history and the non-natural interpretations of facts, long acknowledged and acted on, and the curious shiftings and contortions requisite to justify this altered policy, alarm me more than I can say. That men, who are known to be in other respects good and holy, sincere and zealous in God's service, should adopt such Canons of interpretation is, when we first look at it, so startling as to deprive one of breath." "No one can compare the sentiments of such men as Bishops Tunstall, Bonner, and Gardiner, in the 16th century with those of the Archbishop of Paris, or of the Bishops of Orleans and Bosnia, without being struck with the much larger admissions (as to the Supremacy and Infallibility of the Pope), which the latter are compelled, by the advance of opinion, to make, than the former ever thought of concealing. Yet the former were the defenders of the Papacy in this country, the latter are the defenders of the episcopal and national rights against the advancing claims of the Papacy!

(g) "*What is taught is briefly this*:—There are special promises made to S. Peter individually. He had a special office, in which the rest of the Apostles did not share; they, like him, were invested with universal jurisdiction. But their common powers could not undo his exceptional powers. His jurisdiction was personal and independent of theirs. Theirs was collegiate and could only be exercised in connexion with, and under him, while its individual exercise was dependent on him. From the first there were two centres of doctrine and authority, distinct indeed but not opposed—separate but still in absolute and necessary harmony. They were Peter and the Apostolic College in operation with and under Peter. Peter alone left a successor

to his office and jurisdiction. As individual Apostles the rest had no successors; as a College in their corporate capacity, their place is now filled by the Catholic Episcopate, in connection with and under the Pope, the successor of S. Peter in the Apostolic See. Up to this time (1870) the Personal Infallibility has not been of Divine certainty—the denial therefore not *heretical* but *erroneous*, and not therefore tolerated doctrine. What is of faith is that the Pope is (1) Primate of the whole world; (2) Successor of S. Peter; (3) Vicar of Christ; (4) Father and Teacher of all Christians; (5) the feeder, ruler, and governor of the Universal Church. This (they say) has always been held. In the early ages the Church always took the Infallibility for granted instinctively, and the Pope acted on it as unquestionable. The Pope alone knows and can tell the extent of his own powers, the object and scope of his mission. In what he claims Infallibility, he possesses it. . . . There has been no new influx of power; that, which always existed, has been gradually applied with unerring instinct, as it became necessary. His Infallibility extends not only to matters of faith and morals; not only to truths, which have been directly revealed, explicitly or implicitly, but to all truth, speculative or practical, which has any bearing on these. The contrary of this is simple Jansenism." In whatever way the difficult task of reconciling the power and authority of General Councils with these enormous powers may be effected, "the ordinary and standing form of the infallible Tribunal is the Pope alone," etc., etc.

(h) "While,[e] then, I hold most strongly to the ordinary meaning of words, and that the authority of God's Ministers is, in its own sphere, absolute, it will be seen that I do, and must, hold, that there is the greatest possible danger from this very circumstance, *of the clerical body degenerating into a caste*, and ceasing to influence, therefore, the very body it is commissioned to rule in the things pertaining to God. *For I cannot persuade myself that any (except clerics) who are able to reason, and are in a position to examine the question by the light*

[e] p. 51.

of history, can ever accept such statements as I have reproduced as a fair deduction therefrom.

(i) Now, error[f] must work itself out according to its laws, even as the truth does according to its. If the principles of the Papacy, in its development, are wrong principles, then we may expect them to be preparing the way for some terrible manifestation of evil, such as those, who blindly support them, very little anticipate; whilst those very elements of strength, which, in Rome's increasing exclusiveness, she flings away by an awful act of retributive justice, are exercising their influence to raise up the power of anti-Christ."

(j) "*I wish,*[g] *then, to ally the power of the Lay Element with the Church*, not to cast it out, if this can be done on right principles." "Are there[h] any principles supplied by Scripture, and acted upon in the Church of old, which may serve to retain the affections and to engage the energies of her educated Lay members in her defence, and so prevent the Clergy from degenerating into a caste?"

(k) "I think[i] I have demonstrated (in the pages which follow) that it may be done:—

(1) "*Not* by admitting them into *Synods*. Synods I would reserve for special occasions, and for purely spiritual concerns. The Bishop certainly as much requires his Privy Council as the Queen (King) does hers, and of this I would not, nor can any human authority deprive him. All the legislation in the world is powerless, so long as the Bishop has the inherent authority to call his Clergy together in Synod, and the Clergy, recognising his authority, render obedience to the decisions therein arrived at."

(2) *But* I think I have demonstrated that the Lay element may be allied with the Church "*in mixed Councils*, where both orders meet on equal terms." "We[k] must remember that, though all gifts in the Church in one sense flow from Ordination, they are not all in their exercise restricted to ordained persons. Thus the office of *teaching* may be, and

f p. 5. *g* p. 6. *h* p. 53. *i* pp. 6-7. *j* p. 6. *k* p. 8.

is, daily exercised by multitudes of unordained persons. Even *offering prayers in public* or *preaching* in consecrated places, may be exercised by licensed laymen. The *Canon Law may be administered by Lay Canonists* duly sworn into office before Bishops or Metropolitans. Certain Sacraments even, such as *Baptism* now, and *Marriage* at one time, can and might be administered by Lay persons." "I would therefore substitute *Mixed Councils* for our annual Synodal Assemblies, and entrust to them all the ordinary business connected with the Church, the passing of ecclesiastical laws to bind all alike, etc."

(3) "I[l] have maintained in the following treatise that, while the Synodical functions of the Clergy fall more properly under the head of *Order*, there remains the wide field of *Jurisdiction*, in which it is quite competent for the highest order in the Church, after due reference to the consultative body, who, by the right of Order, are authorized to advise in this matter, *to allow the Laity, under proper guarantees, to bring their opinions to bear upon the legislation of the Church much more extensively* than has been the case, though not in the way, which has been recently allowed in other parts of our Communion." "Holding,[m] as I do, that the Holy Spirit, residing in the body, speaks with the authority of the whole body, which He animates, whilst He makes all of one mind, I must consistently maintain that every practicable measure should be had recourse to for gaining universal acquiescence."

(II.) The second pamphlet referred to was that of the Very Rev. H. C. Powell, Provost of Inverness Cathedral. It contained the substance of a speech delivered in the Synod of Moray on May 4, 1870, and was entitled[n]:—*The Limits of Lay Responsibility and Privilege in the Councils of the Church*. He thus states his position to begin with:—

(1.) "We[o] may, I think, be definitely certified that it was not contrary, but *agreeable to the mind of the early Church* from Apostolic times (a) *that Laymen should be present at Synods*, and present as an integral part of them,

l p. 8. *m* p. 9. *n* Grant, Edinburgh, 1870. *o* p. 7.

and, as such, take part in their decisions, in matters of doctrine as well as in other matters. And (b), on the other hand, the limitation is no less clear, that it would have been thought *a concession, which the Clergy had no right to make, had the Laity been allowed to over-rule their decisions*, or to hinder them from being carried into effect. This I hope to be able satisfactorily to prove.

2. But, my Lord (Primus), in order that we may be in a better position for estimating rightly the force and bearing of the direct documentary evidence, I would, in the first instance, bring forward *some previous considerations* affording a presumption, at least, if no more, of the conclusion, at which we ought to arrive.

For we have these *two principles* to start from:—(1) We have, on the one hand, the Pastoral Commission given to the Clergy. To them especially is the "good deposit" (2 Tim. i. 14) given in charge. (2) But, on the other hand, though this was given in charge to them principally, it was not given to them exclusively. "The Truth," was "delivered once for all to the Saints—that is, not to the clerical members of the one body only, but to the whole body, and in different degrees, according to their position in it, to all its members, lay as well as clerical."

"The[p] only way, in which this conclusion could be invalidated would appear to be by showing that in practice the several functions of the body, and this of maintaining and guarding the truth amongst them, *had always* been performed exclusively by the Clergy as representatives of the whole body.

But this is not the case:—

(a) For it has been shown by Bishop Moberly[q] that a more or less important part has been recognised by the Church as devolving upon her Lay members. "He points out that a part, although a subordinate part, belongs to the Laity in the administration of Baptism and Holy Communion, in the conferring of Holy Orders, and in the exercise of Absolution—these being acts of the Church as a

[p] p. 8. [q] Bampton Lectures, 1868.

whole, although the principal part in their administration is committed to the clerical portion of the body. If, then, in these sacramental offices even of the Church, the Laity have a part to bear, *is there not a presumption afforded by this fact, that in respect of the Conciliar action of the Church also, some responsibility of action must rest on them?*" Here follows a long and most apposite quotation from S. Chrysostom.[r]

(b) But,[s] my Lord, the Bishop of Salisbury further urges that Holy Scripture affords evidence of a recognition on the part of the Lay portion of the Spirit-bearing body being sought for as regards the actual teaching of the Apostles and Apostolic men, both oral and written (in an extra-Conciliar way)." "We ourselves are familiar with the fact that it was by means of the gradual sealing of the Spirit, given through the instrumentality of the entire body, that the Canon of Holy Scripture was, in the course of the first four centuries, defined as the Church has since received it. We are aware that recognition and acceptance by the whole Church is necessary to give full authority to the determinations, even of General Councils. Nor must we forget that both in Scripture itself and in ecclesiastical history, laymen are found maintaining and spreading the truth by actual teaching." Here follow instances. "These[t] considerations, as exhibiting the mind of Holy Scripture, and of the Primitive Church as to the position of Laymen in the body of Christ, and especially in regard to the past, which they might take in extra-Conciliar diffusion or preservation of the common Faith, are important as showing that, because they have not a responsibility equal to that of the Clergy in reference to these duties, it does not therefore follow that they have none." *They afford a presumption that the Laity have a similar, real, though subordinate, part in Conciliar action also.*

3. "But[u] this *requires to be substantiated* by direct documentary evidence of the actual practice of the Church in Council[v]:—*And first, as regards the Churches of the East.*

[r] In II. Cor., viii., 24. [s] p. 10. [t] p. 11.
[u] p. 12. [v] Here we shall condense the argument very considerably.

(a) After discussing *Acts xv. 4-30* in detail, he concludes thus upon it: "Have[w] we not here distinct Scriptural warrant for the Laity being joined with the Clerical portion of the body, 'being assembled together with one accord,' in the settlement of a doctrinal question of the first importance? That the most prominent part was not theirs; that the chief responsibility did not rest with them, is, of course, abundantly clear. But, whilst there is nothing to determine the manner and degree in which the Laity acted with the Clergy, it seems perfectly certain that they were joined subordinately with them in what was done." (b) Certain Ante-Nicene Synods: "The expression of the writer in Eusebius,[x] describing the Synods which met to condemn Montanism in the 2nd century, as being composed of 'the Faithful'; or that of Tertullian describing certain Synods of Greece as 'Councils of the entire Churches,' are at least suggestive of the idea that others besides Bishops took part in these Synods. The address of the letter of the Second Council of Antioch, in which Paul of Samosata was condemned A.D. 269, is still more significant, i.e., 'Helenus[y] and Hymenaeus and all other Bishops and Presbyters and Deacons and the Churches of God to Dionysius,' etc." (c) "Fifty-six years later the great Council of Nicæa was assembled, at which we know, on the expressed testimony of Socrates, Sozomen, and Eusebius[z] that Laymen were present." (d) The case of "signatures of Bishops alone being found attached to the acts of Councils." *Answer*:—"The assertion as regards Councils, other than general, is not correct." But, where the Bishops alone did sign, "this[a] may at least have very probably been the reason, that the rest of those, who took part in the Council, were satisfied with the Bishops in so numerous a body signing on their behalf." (e) "Passing from the first to the last of the four great Councils, we have further proof of laymen not only coming to Council, but being summoned to take part in it. It is contained in a letter[b] which the Empress Pulcheria addressed to the Consular Governor of Bithynia." (f) "There is a remarkable passage

w p. 13. *x* Eus. H.E., v., 16. *y* Eus. H.E., vii., 30. *z* Soz., 1-17; Soc., 1-8; p. 16.
a p. 17. *b* Harduin Conc., ii., 47-8.

in a letter written by Pope Nicholas I., A.D. 865,[c] to the Emperor Michael," which speaks favourably of Laymen being consulted on doctrinal matters. "We may[d] not unfairly sum up the conclusion to be derived from the evidence of Eastern Councils in these words of S. Basil[e]:—"Matters, which concern the Churches are administered by those, who are entrusted with the rule of them, but they are confirmed by the Laity."

(2) *Evidence afforded by the Church of North Africa.* "The resolution with which S. Cyprian, in the latter half of the third century, commenced his episcopate will at once come to mind:—'I resolved,' he says,[f] writing to his Clergy, 'from the very beginning of my episcopate, to do nothing of my own private mind, without taking counsel with you, and without the consent of my people." *Objection to this testimony*—"It was an act of grace, not the acknowledgement of a right." *Answer*: "We must still observe that the principle that the Laity may take some part in Council is proved by S. Cyprian's conduct, whatever may be said of it as evidence of general practice." But, as has just been shewn, S. Cyprian's action was in reality only another instance of the general practice.

(3) "It[g] is the *Spanish Church*, which furnishes the fullest evidence as to the part taken by Laymen in Council. (a) There is a document[h] containing a description of the mode, in which provincial Councils were held, which, when compared with the records of Councils actually held, is conclusive as to the fact of Laymen forming a constituent part of those Councils." The author is probably Isidore of Seville (A.D. 633). The following sentence in the description of the Council occurs in it:—"Then let the Laity also enter, who by choice of the Council, have obtained the privilege of being there." (b) "But[i] perhaps a proof more satisfactory still is furnished by comparison with the records of the Spanish Councils themselves. From the Council[j] of

c Hard., v., 158c. *d* p. 20. *e* S. Bas. Ep., 230; tom. iv., p. 861, Migne.
f Ep. 5. *g* p. 21.
h Quoted by Keble in the Appendix to Sermon on Primitive Tradition. *i* p. 24.
j Hard. Conc. tom. iii., p. 477, etc.

Eliberis, then, at the very beginning of the 4th century, to the 16th Council of Toledo at the close of the 7th, we find Laymen, not only present but subscribing."

(4) *Other[k] Churches not yet mentioned* (a) Council of *Orange*, A.D. 529, Doctrine of Grace and Freewill discussed. —"At this Council laymen were not only present but subscribed." "The reason[l] for their so doing is explained thus:—'And since it is our wish and desire that the aforesaid definition of the ancient fathers and of us shall be medicinal, not only to the religious, but also to the Laity, we have thought it good that the illustrious and magnificent persons, who have assembled together with us at the aforesaid Council should also with their own hand subscribe it.'"[m] "They had no power of veto, but they were not excluded from any measure of assent or dissent short of this." (b) The[n] practice of *Germany and of England* was much the same as that of the Church of Spain." One example:—Council of Salegunstad,[o] A.D. 1022. For England see *Wilkins Conc., IV., 784 Appendix.* "In Germany in the 11th century, of course, we could only expect to find any privileges, which the Laity formerly had, curtailed. The various features of mediævalism, as distinguished from the earlier Catholic system, were then almost fully developed." Still even here the rights of the Laity are in some degree recognised as in the Spanish Councils.[p] "Van Espen[q] mentions a Provincial Synod held at Cambray in 1505, at which all the *Abbesses* of the Province were represented by Proctors, and one *Prioress was present* in person; and all these were not only present but subscribed."

(5) "Enough[r] has now, I think, been said to show, my Lord, that there is a thread of testimony running from Apostolic times through ecclesiastical records and bearing witness to the fact of some recognition having always been accorded to Laymen in the Councils of the Church. The thread may not at all times be very easily discerned But, instead of being staggered at this, our wonder should rather

k p. 25. *l* p. 26. *m* Hard. ii., 1102, A. *n* p. 27.
o Van Espen. Jus. Eccles. Univ. Pt. 1, tit. 18. c. ii. 1. *p* p. 27.
q Pt. 1. t. xx. c. i. 14. *r* p. 29.

be that so much evidence remains. For, just as the freshness of the waters of those great rivers of the New World, whose current flows for hundreds of miles out into the Ocean pure and untainted by its saltness, testifies to the strength of the source, whence they flow, so, when we find the stream of testimony to the point before us, flowing so far into the ecclesiastical ocean, in spite of adverse winds and currents and influences threatening to swallow it up, we ought to learn to rate at the highest the indications, which do appear of a different spirit from the Mediæval, having filled the mind of the Apostolic Church." "We[s] find that the chief portion of the duty of maintaining the faith once delivered to the Saints belongs to the Clerical members of the body, in virtue of the ministerial commission entrusted to them. But we also find that some portion of the responsibility and duty devolves upon the lay members of the body—[t]a subordinate one."

6. Practically, therefore, he moves that in the Scottish Church Laymen should be granted a real place in the Synodical system, and "speak,[u] vote, and lend their assistance in carrying out the decisions arrived at, as freely and fully as the Clerical members of the Synods," provided always that their position should be so far subordinate that "from[v] their powers the power of veto should be excepted."

7. After dwelling on certain other points, Provost Powell finally asks:—"What[w] are the benefits likely to result from conferring upon the Laity further powers in Synods than they already possess?" and answers thus:—(1) "*The character of the Laity would be raised by it.* And is not this to remove, by the adoption of this measure, the very objection, which presses most upon the minds of those, who regard it with disfavour? In the pastoral Letter lately issued by the Bishop of Brechin, is it not this, which is most specially urged, that the Laity of these times, from want of faith, of theological depth, are less fitted than of old to take part in the Conciliar action of the Church in respect of doctrine?" "The[x] position of Laymen in our Councils,

[s] p. 29. [t] p. 30. [u] p. 1. [v] p. 30. [w] p. 32. [x] p. 33.

said an American writer more than 20 years ago, has tended to produce a class of well-read, sound, and practical Lay Churchmen, who are always found on the side of order, conservatism, and law." (2) "And,[y] if the character and faith of the Laity would be raised by this measure no less would *the strength and efficiency of the Church in defending and maintaining the faith be increased by it*." Consider "the weight, which would be added to the voice of the Church raised in Council, in defence of the Faith, when that voice was understood to be the voice of the whole body of the Church, and not of the Clerical portion only of it!"

[y] p. 34.

CHAPTER XIII.

1870—A General Synod Refused.

I. The following words,[z] spoken by the Primus (Eden) at the Episcopal Synod of Nov. 16, 1870, shew *how matters had been going between the end of our eleventh and the beginning of this, chapter*:—"At the Episcopal Synod," he said, "of November, 1869, numerous petitions from Lay members of the Church were laid before the Bishops, praying them to convene a general Synod with the view of legislating in favour of the further admission of the Laity into the Councils of the Church. The Bishops felt that they could not assent to a step of so great importance without first endeavouring to ascertain the mind of the Church upon the subject. They resolved, therefore, to submit the consideration of the whole question to the Diocesan Synods, with a request that the Laity in each Diocese should be invited to be present at the Synod, and to express their opinions freely and fully upon the subject. The form, in which the Bishops submitted the question to the Diocesan Synods, was this:—'To consider the subject of the admission of the Laity to additional powers and functions in the Church, with the view of informing the Bishops, before they consent to the convening of a General Synod, as to what extent, if any, such admission should be granted, and by what means it should be carried into effect."

II. *A special Synod was accordingly convened in each Diocese*, which was attended by both Clergy and Laity, and of these meetings the following is a condensed account:—

(a) The Synod of *Aberdeen* assembled on May 3rd.[a] The most notable contribution to the discussion here was made by Dr Grub. His motion was to the following effect:

z S. G., Dec. 1, 1870, p. 15. a S. G., June 1, 1870, pp. 4-5.

—"That Lay Communicants should be admitted into *Diocesan* Synods to vote on all matters on equal terms with the Clergy, except upon questions involving heresy, when they should not pronounce an opinion: that, as regards *General* Synods, the Laity should have the same privileges, except that they should not initiate matters of doctrine, which must come from the Bishops or Clergy; but no Canon should be altered or new one made without the assent of the Laity sitting in the same chamber as the Clergy."

In speaking to this motion, Dr Grub "dwelt much on the changes, which had been introduced into the government of the Church. From 1689 to 1811 the Bishops alone had ruled. They had refused to give to the second Order any authority in the matter. The Deans, indeed, had a voice, but no vote, as was at present the case with the Laity. The purely Episcopal system had existed for 120 years, and the mixed system of Bishops and Presbyters for 60 years. The movement in favour of Lay Representation had begun in 1824. The matter was again before the Church in 1852, when Mr Gladstone wrote his letter to the late Primus. The Bishops had then declared that it was not inconsistent with the Word of God, nor contrary to the Constitution of the Church, to allow the Laity in ecclesiastical Synods to speak and vote on a large class of ecclesiastical questions. The Laity now sought for nothing more. The right of the Laity to vote in the election of Bishops had only been conceded for seven years, and that was a right, which no one now disputes. Numbers of Churches since 1852 had followed the American Church, the only one then admitting Laity to her Synods." The result of the voting was in favour of the establishment of mixed Diocesan Councils and of a Central Council.

(b) The Synod of *Argyle and the Isles* met on December 27th.[b] At this the principal speaker was Provost Cazenove. He stated that his views on the general question were in favour of the admission of the Laity to a voice in the Synods of the Church, subject to certain necessary restrictions.

[b] Ibid. p. 5.

Finding—in favour of a General Synod to admit Laity to a seat and vote in Diocesan and General Synods.

(c) The Synod of *Edinburgh* met on April 27, 1870.[c] The Bishop of the Diocese (Terrot), being incapacitated by illness, the Primus took the chair. In his opening address he confessed that "his own opinion went further than that of others in the line of concession." There was an animated debate, and several motions and counter motions. Finding—Admit Laity, but not to deal with Doctrine and Discipline.

(d) The Synod of *Moray, Ross, and Caithness* met on May 4th.[d] There was practical unanimity in favour of the Lay Claims, provided that Doctrinal questions were not submitted to them.

(e) The Synod of *S. Andrews, Dunkeld, and Dunblane* met on June 2nd.[e] The Bishop (Wordsworth) delivered a lengthy Charge, in which, after saying "I accept for myself, and I would wish to recommend to you, as the foundation of all argument upon the question now to be discused the principles laid down in the Bampton Lectures for 1868 by the present Bishop of Salisbury (Moberly)," he advocated *the following scheme* for the further increase of Lay powers:—(a) With regard to *Diocesan* Synods, all laymen returned annually by the Incumbent of any Congregation as duly qualified and willing to act, shall have *power to speak and vote in Synod*, and shall be called Synodsmen or Sidesmen; and any other Laymen present at the Synod, but not returned as Synodsmen, shall be allowed to speak only.

The qualifications of a Synodsman are:—(1) That he has been confirmed; (2) that he is a regular communicant; (3) that he signifies his acceptance of the Canons; (4) that he sign a form of promise similar to that, which binds the Clergy, to be faithful and peaceable in the office. A Synodsman may be deprived of his office in case of scandal pertaining to life or doctrine. The existing law to be retained that no resolution of the Synod is to have effect, unless

[c] Ibid. p. 6. [d] Ibid. p. 6.
[e] S. G., July 1, 1870, p. 18, and republished in pamphlet form. Grant, Edinburgh, 1870.

sanctioned by the Bishop. (b) With regard to *General* Synods:—(1) Representatives in General Synods to be chosen from amongst the Diocesan Synodsmen, and not to exceed in number the representative Clergy; (2) to be thirty years of age; and (3) if elected and accepting the office, attendance to be compulsory. To vote by orders, when demanded. Each Order to have the right of *veto*. In case of doctrine or anything affecting the Prayer Book, any-one of the three Orders may require that the proposed measure be referred to a subsequent General Synod.

After outlining his scheme the Bishop made an interesting *personal explanation*. He said:—"In*f* the remarks now offered I have endeavoured to treat the whole question, upon which you are to deliberate, as fairly as I could, discarding all prejudice, all prepossession, in favour of opinions, which I myself expressed in Synod, as a Presbyter, eighteen years ago." "Formerly, as a Presbyter, speaking to my fellow-Presbyters, and when, as I have said, the subject was comparatively new to me and to us all, I did not see my way to enter upon a path different from that, which our then Bishop was known to approve. Moreover, my sojourn in this country was then in an early stage, and I had not yet learnt that the question may and must be argued diversely from the stand-point of an Established and of a Non-established or Disestablished Church." "Again, in citing, as I formerly did, the authority of the great English Divines, I did not perhaps sufficiently bear in mind that, in their peremptory rejection of the Lay element, they had in view, not such a measure as that, which we are now proposing, but either the quasi-clerical Lay eldership of the then novel Calvinistic discipline, or the still more startling innovations of the Congregational platform; both of which they were justified in describing as without example either in Scripture or the Primitive Church. Such were the circumstances, under which I spoke upon this question 18 years ago. But now, speaking as a Bishop—as a Bishop of a Church disestablished and disendowed—with the responsi-

f Pamphlet, p. 16.

bility of a Bishop, and with fuller knowledge and deeper insight (as I trust) into all the bearings of the question, after the additional experience of nearly 20 years—I do not shrink from offering the suggestions made in this address." Before concluding the Charge, and afterwards in a "Postscript" to it, he entered somewhat fully into the merits of the question. There was much opposition to the Bishop's scheme in the subsequent debate, but approval was finally expressed by 7 to 5.

(f) The Synod of *Brechin* met on June 1.[g] The Dean (Thom) submitted a motion suggesting that the bringing of the members of the Church into more effective operation in the work of the Church should be by the formation of mixed Diocesan Conventions and of a mixed General Convention of the whole Church, to meet annually—the existing Synods not to be interfered with, and Doctrinal questions to pertain to the Synods alone. But that no law or canon passed by the Synod as now constituted should be held as binding until submitted for acceptance by the Diocesan or General Convention, as the case might be.

The Dean's resolutions were carried after some discussion, but the Bishop (Forbes) refused to endorse them. "It was a very serious matter," he said, "to alter the constitution of the Church, and he regarded the creation of such a Convention, as that proposed, to be revolutionary. He would interpose his Episcopal *veto*."

(g) The Synod of *Glasgow* met on June 1st.[h] A proposal by Mr Moir for the admission of Laymen into Diocesan Councils, and into a united Convention of the whole Church, with an invitation of select laymen to be present in the Lower House in General Synods, as witnesses, but not to speak unless invited to do so by the Prolocutor, met with considerable support, but was rejected in favour of a Resolution by Rev. Mr Oldham:—"That it is highly desirable that Laymen should be admitted into the Synods of the Church, with the right to speak and vote on all ques-

g S. G., 1870, July 1, p. 17. *h* S. G., July 1, 1870, p. 16.

tions except those involving Doctrine, with the proviso that such admission be not allowed to interfere with the inherent rights of the Episcopate. That those entitled to attend the Synods shall be—the Lay Representatives, as chosen under Canon iv., together with the Diocesan Chancellor, Registrar, and Auditor, and one Layman for every 100 communicants in any congregation.

III. (a) Commenting upon the completed results of the Diocesan Synods, the *Scottish Guardian*[i] said:—"It would be be premature to predict what may ultimately result from the utterances of the various Diocesan Synods of the Church. As was to be anticipated, an infinite variety of opinion has been elicited, and it is difficult to say to which scale the balance inclines." "On the whole, we are pretty much as we were. It seems that the Laity are no more of one mind in requiring further privileges than the Clergy are in resisting them. In some few instances, men have deemed it right (and one of our Bishops takes this view) to oppose the whole movement as mischievous and wrong in principle. *But the very large majority are in favour of some modification of the existing system.* It will remain for the Church in Synod assembled . . . to say where the limit is to be."

(b) As was to be expected, "*Letters to the Editor*"[j] began to appear. The protagonists were *Sir Archibald Edmonstone* for the Laity, and "*Senex*" against. A quotation from the second communication of the former will give a sufficient indication of the lines, upon which the discussion ran:—"*Senex*[k] says that in my letter I claim for the Laity in the Synods of the Church powers and privileges at least equal to those of the Clergy. Now, I trusted that I had guarded myself against any such idea. I hold to the fullest extent the rights and privileges of those, who have received the Divinely-instituted rite of Ordination; but I claim likewise for the Laity rights and privileges not less distinct, though of an inferior kind. The question simply is this, Do the Clergy hold by Divine Commission a power

i Ibid., pp. 20-1. *j* S. G. 1870, pp. 31, 40, 53, 71. *k* p. 53.

so exclusive in the management of religious matters as to prevent the Laity taking any share beyond what our Church authorities have hitherto allotted to them? *Senex* affirms that all *ancient precedent* favours this idea." Sir Archibald denies it. The next appeal is to the *early British Church*, "in which," says Sir A. E., "not only were the Laity present at the Synods, but also had a distinct duty to perform there." (See Hook's *Church Dictionary*.) "But even if early precedent had been decided as to clerical exclusiveness, as *Senex*, I think, without sufficient authority, assumes, unless this exclusiveness were conveyed by Divine Commission, I do not see why we should be so strictly bound by it." (See Article xxxiv.) "Something, too, has been said as to infringing the Constitution of our Church. But when was that point of fixity reached? At the first re-arrangement of the Church early in the 18th century, the government was necessarily a purely Episcopal oligarchy. As she recovered from her depression, and her numbers extended, the inferior Clergy gradually gained their due position. At the last revision of the Canons the door was slightly opened to the Laity: and all I desire is that this system should be so far extended as to render the position of the Laity more distinct and their efficiency increased." "One of the objections raised against the Laity to take part in Church counsels is their *wanting instruction*. They would require, we are told, a special training for the purpose. *Reply*.—"Already Canon lxiii. allows 'three male communicants to present an accusation for heresy or false doctrine against the Bishop.' Why should not the same persons be allowed to state their views in Council?" "In conclusion, I must emphatically repeat that, instead of weakening our existing authorities, my object would be to strengthen them by drawing within closer bonds those portions of the Church, which the present system keeps so much asunder. I want the Laity to feel, more than they can do now, that they are members of a Divinely-appointed Church, and consequently that their interests and responsibilities are not confined to their own locality, and that the privileges of Church membership bring with them proportionate duties,

to which it is necessary that they should be awakened. I am aware, however, that there are not a few, to whom the changes proposed appear to be hazardous innovations. There assuredly may be dangers I do not anticipate; still, I cannot but hope that the forthcoming opportunity will not be allowed to pass without something being done. There could not be a better time than the present, when the Church is riding in quiet waters. The atmosphere around is threatening, and it may be well for those, in whose hands the authority rests, to take advantage of the calm, to awaken dormant activities by binding parts closer together, which have been hitherto so much disunited."

IV. *The time*[1] *had now come for the Episcopal Synod to arrive at a decision* as to whether there was, or was not, to be a General Synod. Accordingly, a meeting was held in the Masonic Hall, George Street, Edinburgh, on Nov. 16th, 1870:—

The Primus (Eden) said:—"The first subject I wish to bring before the Synod is to report that, in accordance with the remit from our last Synod, the various Diocesan Synods, specially convened, have met. On July 1st, when we met at Perth, there was a request that I should prepare an abstract or digest of the resolutions which had been arrived at in the different Synods, with the view of ascertaining what was really the mind of the Church upon the subject, which had been submitted to them. I have done that, and will now simply read the result of my examination of all the resolutions, and so put it before you in the shape of one document that you may be able to judge what the opinion you have asked is."

The Primus then read the summary of the resolutions of each of the Diocesan Synods, which have appeared above, and then tabulated the results as follow:—"(a) The Synods are unanimous in their opinion that the Laity should be admitted to additional powers and functions over and above those, which they at present possess. (b) As to the *extent*,

[1] S. G., Dec. 1, 1870, pp. 15-8.

in the opinion of the Synods of Moray, Edinburgh, Argyle, St. Andrews, and Glasgow, the Laity should be further admitted into the Councils of the Church as at present constituted, viz.:—Diocesan and General Synods. In the opinion of the Synods of Brechin[m] and Aberdeen, the existing Synods should be retained, but that Diocesan Conventions or Councils, with a General Convention or Central Council should be instituted, into which the Laity should be admitted by representation. All agree in confirming to the Laity the power to speak, and in giving them a power to vote in the Councils of the Church; but their power of voting on questions affecting doctrine, discipline, or worship was proposed to be limited in all but one Synod. That in all cases, except in the Central Council, as proposed in the Synod of Aberdeen, power to be given to have the votes taken by orders.

(c) On the third point, as to the means by which the admission of the Laity should be carried into effect, there is general agreement that it should be by representation, at least in General Synod, and that in these latter, Lay Representatives should not be numerically greater than those of the Clergy. All the Synods ask or imply the request that a General Synod may be convened for the purpose of carrying out the object in which they all agree; viz., the admission of the Laity to additional powers and functions in the Councils of the Church, whether in Synods or Conventions."

The Primus then informed his brethren that, since the meetings of the Synods, he had received four petitions against the Lay Claims—one signed by some half-dozen Noblemen; one by Lord Howe; one by Lord Forbes; and one by Rev. H. St. John Howard, Incumbent of Holy Trinity, Pitlochry.

He then proposed to adjourn for a few days in order that the Bishops might have time to consider the full bearings of the statement he had made, but that was not considered necessary.

[m] The Brechin Resolutions having been vetoed by the Bp., were only referred to by the Primus by special leave of the Bp.

The Bishop of St. Andrews (*Wordsworth*): Would it not be best to determine whether there should be a General Synod called?

The Bishop of Brechin (*Forbes*): I cannot agree to call a General Synod, and I beg to move, therefore, "That the Bishops are not prepared at this time to call the General Synod on the Lay question.

The Bishop of Aberdeen (*Suther*): I second the motion.

The Primus: The Bishops, very wisely, I think, last year resolved, before they acceded to the petitions sent to them, to consult the Church at large through its regularly constituted organs, the Diocesan Synods. They sent to those Synods a remit, embodying a request for information on three distinct points. The answers have been given by those Synods, and the Synods themselves were assisted in their discussion of the subject by Laymen, who were invited to be present. There is a unanimous request from the duly constituted organs, the Synods of the Church, that the Bishops should convene a General Synod in order to consider as to whether additional powers and functions should be conferred upon the Laity. They have been unanimously expressing their opinion that the Laity should be admitted into the Councils of the Church, and they have as unanimously requested the Bishops to convene a General Synod. In the face of that unanimous request, in reply to our actually asking them for their opinions, I do not feel that we should be justified in refusing a request, which appears to be the request of the Church. In no other way can the Bishops legitimately ascertain the mind of the Church. They have ascertained it. The Church asks for a General Synod, and I am not prepared, in the face of that, to refuse it.

The Bishop of St. Andrews: I am prepared to assent to a General Synod being called.

After some further conversation,

The Bishop of Aberdeen: The custom of asking the Laity to come to Synods is quite new. They did not like to come: it was something so new to them: I think they made

a mistake in not coming, but some have expressed their opinions. I feel that considerable weight is due to them and that we ought to attach much weight to the opinions, such as those expressed in the Memorials, and to allow them to balance the opinions conveyed through the Diocesan Synods. I feel convinced that the Lay movement has been got up and carried on by a minority—a very energetic, a very learned, and an influential minority; but, as a Bishop, I feel that it is contrary to Scripture and to the practice of the early Church, upon which our Church has always rested, and that I am only doing right, unpleasant as it may be, in giving my vote against such a movement. Unless my mind is very much changed, I will not consent to allow the Laity into the Synods.

The Bishop of Glasgow (Wilson): It has always appeared to me that the idea of constituting a Synod by admitting the Laity as constituent members and excluding them from voting on the questions of doctrine, discipline, and ritual is a system perfectly unknown in this country, and one which, I believe, would not stand after the first collision.

After considerable discussion, in which all the Bishops took part,

The Bishop of St. Andrews, at the close of a lengthy speech, said: I implore you not to take up a position, which will throw back in the face of the Laity a refusal to the request, which there is so much reason and justice and foundation in Scripture and in the real Catholic principles of the Church, to grant. I earnestly entreat you not to give a vote to the effect that we will not listen to any attempt whatever to carry out what the Synods have recommended to us by what I may call a unanimous request.

The Bishop of Brechin: I feel so strongly on this subject that I must press my motion.

A vote was then taken. There voted for the Bishop of Brechin's motion the Bishops of Brechin, Aberdeen, and Glasgow; for the Primus's amendment, The Primus and

the Bishop of St. Andrews. The motion was declared to be carried.

It is only fair to remember that had serious ill-health not prevented the Bishops of Edinburgh (Terrot) and Argyle (Ewing) from being present, the decision would very likely have been the other way. But they were absent, and, as we see, the request for the assembling of a General Synod to deal with the Lay claims was refused by 3 to 2 of the Bishops, who were present.

CHAPTER XIV.

Renewed Agitation, 1871.

No doubt the Bishops, who were responsible for the refusal of a General Synod to consider the Lay Claims, were both honest in their intentions, and also the champions of a principle, which it would have been wrong to ignore. But, if they thought that their refusal would bring the controversy to an end, they were altogether mistaken. The resolution of the Episcopal Synod proved to be, in fact, only the starting point of a new agitation. The history of that new agitation during the year 1871 will be the subject of this present chapter:—

I. But, before we plunge into the controversy, it will be proper *to shew the new rights granted to the Laity by the General Synod of 1863 in actual work.*

(a) And first, without giving the actual details, we may record the fact that during this period the Laity availed themselves to some extent of the privilege of *being present and speaking*, with the Bishop's permission, at the meetings of the Diocesan Synods.[n] But it has to be confessed that, neither now nor subsequently, have they availed themselves of this right to any important extent.

(b) It will be remembered that midway in the sessions of the General Synod of 1863, it became necessary to choose a Coadjutor to the Right Rev. W. Terrot, D.D., Bishop of Edinburgh, who had been laid low by paralysis. That election had taken place under the authority of a temporary Canon, passed by the General Synod *ad hoc*, and the Laity had then, for the first time, taken part in an Episcopal election. But the Coadjutor Bishop (Dr Morell) had now vacated his office, and it became necessary to choose a suc-

[n] See "Scottish Guard.," 1871, Vol. ii., pp. 152, 140, 143, 148; and 1872, Vol. ii., pp. 144, 170, 207, 208, 281.

cessor. *And thus the final Canon* (No. iii.[o]) *of 1863 became operative for the first time*; and under its authority the Electors of Edinburgh, Clerical and Lay, assembled on April 26, 1871,[p] in the Free Masons' Hall in George Street. The nominee of the Scottish party, the Rev. J. F. Montgomery (afterwards Dean of the Diocese), having consulted Dean Ramsay, announced that he withdrew his name. Thereupon, the Rev. V. G. Faithful proposed the name of the Right Rev. Dr Cotterill, Bishop of Grahamstown. In the course of his speech he said concerning him:—"The result of a life of hard study and steady living was the highest degree of the University (Cambridge) obtained by any man living at the present time. That degree qualified him for every public act, every public office connected with the University, and there were very few English appointments open to the Laity, which he might not have justly endeavoured to get, had he chosen to have gone to the bar or any other profession. Within six months after his success, he threw up all the results of his honours to go as a simple missionary for twelve years to India. When he came back he was elected head of the College in Brighton. Then for some years past he had been Bishop of Grahamstown." In that capacity, indeed, he was one of the Judges in the Colenso case. No other candidate was proposed, and Bishop Cotterill was forthwith unanimously elected both in the Clerical and Lay Chambers. We have thought well to notice his election, both because it was the first under the new Canon of 1863, which established the order of Lay electors, and also because the newly-elected Prelate became, as will be seen later, a potent factor in the Lay Question.

II. Having thus shewn the working of the new Lay rights sanctioned by the last General Synod, we now go on to notice *the Controversy* excited by the refusal of the Episcopal Synod to call another General Synod on the same subject:—

The Controversy. (A). *On the Merits of the Question. January to June.* Confining ourselves, to begin with, to

o S. G., 1871, Vol. i., p. 210. p Ibid. pp. 207-10.

the first half of the year 1871, we find a prolific correspondence carried on in the pages of the "Scottish Guardian" on the *Merits of the Question*. The letters are written, for the most part, under "noms de plume," and are characterized throughout by unquestionable ability. Considering, however, that they fill more than 40 columns of closely-printed and closely reasoned matter, it will perhaps be enough if we represent this fertile six-months by noticing only one letter on each side of the discussion. This will probably give sufficient insight into the thought of the time.

We dismiss, then, the able contributions of "The Writer of a Plain Tract"[q]; "Olaf"[r]; "Speculator"[s]; "A Presbyter"[t]; "John Ligertwood"[u]; "Vere Catholicus"[v]; and the two long replies of "Apostolical Order,"[w] and choose as our specimens the first letter of "Apostolical Order,"[x] and the reply made to it by "Catholicus."[y]

(a) "*Apostolical Order*" opens by endeavouring to shew that the whole Movement "has proceeded from a minority of our faithful Laymen, which, so far as numbers are any test of influence, can scarcely claim serious attention." But soon he comes to the Merits of the Question, and (answering J. Ligertwood's "Plain Tract") takes up (1) *Holy Scripture*. Dealing first with Acts xv. 22—"*Then it pleased the Apostles and Elders with the whole Church to send chosen men*," *etc.*—he remarks:—"The decree went forth, indeed, as the will of the whole Church, just as an Act of Parliament goes forth as the law of the whole realm. But most certainly the whole Church was not consulted. Those, for instance, who were to obey the decree—the Christians, namely, of Antioch, Syria, and Cilicia—had apparently no say in the matter. Probably only a portion of the lay brethren who lived at Jerusalem could assemble in the small meeting-place. There is no indication that the Laity even spoke and it is very doubtful indeed whether the Presbyters voted, if, to be sure, there were any voting at

[q] S.G. Feb. 1, 1871, p 88. [r] Ibid. pp. 89-90. [s] Ibid. p. 91. [t] Ibid. p. 92. [u] Ibid. p. 93-94. [v] S.G. April 1, p. 174. [w] S.G. June 1, pp. 16-18; S.G. July 1, pp. 42-4. [x] S.G. Jan. 2, pp. 56-8. [y] S.G. Feb. 1, pp. 85-8.

all. The speeches of two Apostles are alone recorded. And, while a constitutional assembly consisting of the three orders might easily have been held at Antioch, the truth probably is that the matter was carried to Jerusalem for the decision of the whole Apostolate. Or, supposing the second order to have exercised any deliberative function, it is worth while to notice that v. 6, *The Apostles and Elders came together to consider*, is more distinctly against the theory of Lay Membership than the verse we are considering (22) is in its favour." Passing on to v. 23, *The Apostles and Elders and Brethren send greeting*, "Apostolical Order" meets the argument that the Brethren are here put by the Council on the same level as the Apostles and Elders by bringing forward "the fact, thoroughly familiar to all Biblican scholars, that the words *and the* before *Brethren* are wanting in all the best MSS. of the New Testament, and, if they are not admitted, the verse stands thus, *The Apostles and Presbyters, brethren* (i.e., the Presbyters, who are brethren) *send greeting*. And the entire argument for lay membership at once tumbles to the ground." (2) Leaving Holy Scripture, he next comes to *S. Cyprian*, and maintains that the words of that Father, to the effect that "he would do nothing without the advice of his presbyters,"* really contain the most convincing proof that the Bishop in his day possessed the sole legislative power. For what Bishop in his senses could ever have laid down such a rule, as a maximum of prudence, if the constitution of the Church had laid him under any positive obligation to consult others? (3) Coming now to the argument derived from the supposition that "*the power of the keys was granted to the whole Church*," he replies that "the fact of co-membership connecting all orders, as it does not justify a Layman in pronouncing absolution, does not in any strict sense confer upon him any power in the framing of rules, prescribing how and when absolution shall be pronounced." (4) "I confess, however, that my objections to the Lay vote in Synod lie far deeper than any ground of mere verbal criticism. I OBJECT TO SEE ANY SOCIETY GOVERNED OTHERWISE THAN BY ITS PROPER OFFICERS. Every society has, and

* "And the consent of the people."

must have, its officers. No combination of men could ever attain a common object unless powers of management were given to a select body, fitted to decide and to administer. Every profession speaks through its skilled professors. The polite scorn of doctors for the suggestions of those, whose dearest relatives are at the point of death; and the chilling silence of lawyers, when unskilled citizens attempt to decide a legal question are notorious and proverbial. And in the discussion of ecclesiastical questions, equally special in their nature, more occult in their origin and far more lasting in their issues—although as much matters of common concern as are public health and public justice—I fail to see that the mere possession of talent, goodness, or popular gifts, affords any real substitute for special training, careful learning, and valid ordination. But the analogy of an army, an analogy so frequently suggested in Holy Scripture, is the most striking of all. For in an army as in the Church, all power is derived exclusively from the head. The principles of representation, so wise in matters purely political, where the interest of the governed is the only law, is inadmissible in a system perfectly adapted for carrying out the intentions of a single will. The council of war, even when summoned, no more binds the General than the vote of the Presbyters binds the Bishop." Still less do the opinions and wishes of the other officers and of the privates, however zealous and clever. (5) After this *Apostolic Order* passes from the merits of the question to consider its opportuneness, a point which we reserve for the present.

(b) This letter of *Apostolic Order* was answered, amongst others, by *Catholicus*.[z] This champion of the Lay Claims remarks, *to begin with*, that *his opponent "speaks as if no one, whose mind was moulded upon Catholic principles, could possibly have any hesitation about the matter at all.* And yet (he asks) how stands the case? Some fourteen years ago Dr Pusey published a work on the Councils of the Church, in which he maintained and supported this argument with his usual learning that up to the time, when the Church of the United States adopted the principle of

z S.G. Feb. 1, 1871, p. 85.

Lay Representation in her Synods, that principle had been in favour only with those, who rejected the Apostolic Succession. The principle and the practice were consistently confined to those bodies, and were essentially un-Catholic. To this argument Dr Pusey lent the whole weight of his deservedly reverenced authority and unbounded learning." But, despite Dr Pusey's advocacy, what has been the drift of recent thought on the subject? "A small number of Dr Pusey's personal friends still hold with him in this as in other matters. But, even of these, very few, I suppose, are prepared to contend now for the entire thesis maintained by Dr Pusey, viz.: that a definitive voice belongs to the Bishops alone, and that the word 'Synod' by the very force of the term meant the Council of Bishops. For further investigation has convinced most that the privilege of presence in Synod and attesting by signature the acts of Synod have been exercised from the Council of Jerusalem onwards by *Presbyters*, at any rate, as well as Bishops, though, of course, the first place in Synod belonged to the Bishops." "Still, the other part of Dr Pusey's proposition is maintained by some," viz., that the *Laity* are excluded. "But which side of the question has been gaining ground among, not those, who reject the Apostolic Succession, but men, whose faith, whose soundness in Church principles, whose loyalty, whose learning is absolutely unquestionable?" Why have men like the Bishop of Capetown and the members of the Lambeth Conference been willing to concede something to the Laity? "Why is it that the Churches of our Communion, whilst avoiding certain mistakes made by the Church of the United States, have one after another adopted the principle of Lay Representation? Surely a cause, which . . . now stands in such a position as it does, cannot be so utterly devoid of support from either Scripture, History, or Reason, as *Apostolic Order* would have us believe!"

"But let us *now* glance at the actual present state of the evidence upon the subject, and see whether the voice of (a) Scripture; (b) History; and (c) Reason is so entirely on the side of your correspondent as he imagines:—

"(a) As regards *Holy Scripture*." "There are two, and only two, direct cases of practice in the New Testament, which bear upon the subject—the Council of Jerusalem and the exercise of discipline upon the Corinthian offender." After going, in considerable detail, into Acts xv. 6-25, Catholicus sums up his conclusion from it thus:—"I contend, then, that, when the idea of the exercise of a definite voice by a vote—a method, which modern practice has made us look upon as almost indispensable in matters of this kind, but which has clearly no place in the Scriptural record—is set aside, the intimations given in this passage of the part taken by the Laity as present, as probably speaking, as joining with the Apostles and Presbyters in sending forth those, who were chosen, and in writing the Synodical letter, abundantly justify the conclusion that they occupied a position in the Council—subordinate, indeed, to that of the Apostles and Presbyters, and proportioned to their station in the Church, but possessing a tangible and real share of influence and weight. I do not see how this conclusion can be set aside. Certainly the absence of the words "and the" in v. 23 cannot annul it. For, since there is no evidence of voting, what is said of the Laity must count relatively for just as much in their favour, as what is said of the Apostles and Presbyters in theirs: the statements respecting each are the same in kind, though not in degree. These were the first informal relations between the several orders of th Church, and the relative position of each order must be judged of, not by the precise rules of modern procedure, but according to such evidence as is actually set before us." With regard to the second Scriptural instance, *Catholicus* writes: –"Precisely the same subordinate and duly proportioned share is assigned to the lay members of the Church at Corinth in the matter of discipline, of which we have an account. S. Chrysostom, whose estimate of the special responsibilities and powers of the clerical office was a very high one, was much struck by the fact, and called attention to it in his Commentary. 'Throughout,' he says, 'S. Paul makes the forgiveness of the offender the joint act of himself and the Corinthians!'"

(b) "Next, as to *History*. If the question is to be decided by the general *de facto* usage of the Church, exceptions being only regarded as proving the rule, there can be no doubt that it must be decided against the Laity. *But* this is not all that is to be said. There are two questions involved in the matter—the question of principle and the question of practice. These two are by no means one and the same. (1) A principle may be recognised without being put in practice. And this is the case here. The clear and distinct instances of the Laity having held a recognised position in Synod are few, but they are allowed: they are not protested against by the Church" (as the one attempt at non-Episcopal Ordination was protested against). "These instances range over the whole period of history, and, so far from being protested against, are supported by the authority of those, whose Churchmanship *Apostolic Order* will not be disposed to dispute. *S. Cyprian*, whose words he thinks are improperly applied in support of the Lay argument, really cuts away entirely from under the feet of its impugners the high ground of principle, which they are disposed to assume. For, if he could not have laid down his rule, as a maximum of prudence, if he had been under a constitutional obligation to consult the Laity, neither could he have laid it down at all, if to do so had been a thing contrary to the constitution of the Church." After referring to S. Chrysostom; S. Leo, after the Council of Chalcedon; and Nicholas I., *Catholicus* sums up on this point thus:—"If the appeal to antiquity is to have any weight at all, I do not see how it is possible to reject the Lay Claim on the ground of *Principle*. (2) Then as to the *de facto* usage of the Church, which has admittedly been against the Laity. "As regards the comparatively scanty number of instances of Lay co-operation as yet produced, there seems to me to be a good deal of weight in the following considerations:—The records of all the *early* Councils, including the first General Council, are extremely meagre; and for a much longer period evidence as to their precise constitution, etc., is not forthcoming. Hence it follows that it is no argument against the Laity that they cannot be

proved to have voted, because this cannot be proved in the case of anyone. Hence it also follows that whatever intimations are given of the Laity having taken part in Synodal proceedings, must be taken at their full value, because, naturally, the Bishops and their doings and sayings would occupy the principal place in such scanty records as have alone come down to us." "It is, of course, possible now to read S. Cyprian's conduct, and even the Scriptural record, under the light of the more general *later practice*; but, if reasons can be given, which render it probable that the stream may have flowed in later times in a different channel from that, which it first took, this should at least be done with the greatest caution. Of such reasons there are two:—(1) First the almost inconceivable ignorance of the Laity after the subversion of the Western Empire. (2) As their superior knowledge and education gave the clergy the opportunity of taking all to themselves, so too the general current of feeling, swelled to almost irresistible might, continued to set in the direction of separation between the Clerical and Lay portions of the Church, until it had cut out for itself, leaving the old bed, an entirely new channel. Does not this go far to account for the clerical composition of the majority of Councils? Can the instances of another kind, which meet us, and the protests raised from time to time, drowned though they were by the roar of the mightier current, be regarded as other than proofs that there was once a time, when a different state of feeling prevailed?

(c) Coming now to the *Reason* of the thing, *Catholicus*, remembering the objection made by *Apostolical Order* to seeing any society governed by others than its own proper officers, makes the following observations, tending to shew how reasonable the Lay Claims, as actually put forward at that time in Scotland, were:—"The temper and views of the faithful Laity of the Scottish Church contrast at the present time most favourably with what is apparent elsewhere." "There is good evidence that our present Laity are not desirous of change for change sake: that they would be quite satisfied with an adjustment of the Synodal rela-

tions between themselves and the clerical orders, which would in no way overpass what is justified by the evidence of Scripture, of History, and of Reason: that they desire only a position proportioned to their station in the Church; that they would repudiate one, which would enable them to over-rule the decisions of those, whose office of rule and superior acquaintance with theology alike claim for them the larger share of influence in Council; that, as regards doctrine, what they wish is to be allowed to bear witness to the truth, not merely in a desultory and comparatively feeble way as individuals, but with the concentrated and influential force, which a recognised position in the formal and authoritative assemblies of the Church would place in their power; that, as regards discipline, they desire not to take it into their own hands, but to strengthen the Clergy in the exercise of it; that chiefly they desire this position in order that by means of it they may, in matters which belong to the Lay rather than the Clerical portion of the Church, and as to which their gifts and powers are the greatest, help the Church forward in ways and by means, which are not now in their power."

The Controversy. (B). *On the Opportuneness of the Movement. January to June.* Passing over the other able letters, which appeared in the *Scottish Guardian*, on the Merits of the Question, we now advert to the views, which were expressed, as to the opportuneness of the Lay Controversy at that particular point of Scottish Church history. On this point:—

(1) *Apostolicus* writes:—"If[a] the organic change in the the constitution of the Church is not in itself open to those radical objections which I brought against it, I think that it must at least be admitted that *this is the very worst time* that could be selected for making such a complete change of front in the presence of the enemy. Now, when we have passed through all our troubles, and are fast wearing out the national prejudice against Prelacy, and all that term implies, it is surely no time to Presbyterianize the Church, and to

[a] S.G. Jan. 2, 1871, pp. 57-8.

make her Synods 'Presbyteries' and her Bishops 'Moderators.' If this had been the right thing to do, it should have been done just two hundred years ago!" "If men will only labour, and be quiet and wait: if our rulers will only display a little faith in the system they have to administer, and have a little patience with the purposes of God, I believe that greater days will come. For the 19th century will not leave the religious organizations of Scotland as it found them. That Nemesis of disunion, which follows upon every deliberate departure from Catholic order, is gradually bringing Presbyterianism to a state of disintegration. And all this time Rome is piling up for herself new impediments to her mission in Scotland, throwing away her old appeal to Catholic antiquity by Ultramontane novelties." "And we at the same time offer to the inhabitants of this country, in the Church of their fathers, that simple Catholic faith, which their forefathers held; that wise and rational government, to which men of all nations and ages have submitted; that dignified, yet severe ritual, which prejudice alone can style unworthy of the majesty of God. And is this, can this, be, I ask once more, a time to cry upon the house-tops, even if the cry were true, that we have been unscriptural and uncatholic from the first?"

(2) The answer of *Catholicus*[b] was as follows:—"Is not this a time for granting the Lay Claims? When shall we again have the claims put forward in a manner so consonant to Scriptural and Catholic principles; so free from infringement of clerical power; so constitutional and so safe? When did the Church more need strengthening in every legitimate way? What times have ever more urgently required that she should gather together all her forces to withstand the heresy, the rationalism, the illiberal liberalism, which surround her on every side, thirsting for her destruction? Does *Apostolic Order* desire to see the Scottish Church surrounded at a future day by difficulties such as now beset her Irish sister? Does he wish the present conduct of the Irish Laity reproduced here? The contrast,

b S.G., Feb. 1, 1871, pp. 87-8. The arguments of *Catholicus* resemble those of Provost Powell.

which the Laity of the Scottish Church now present, as compared with them, is most cheering! They now ask for this change in their position with the temper of Churchmen and on Church principles. If their just, reasonable, and moderate claim is rejected now, who can tell what form or what complexion it may take at a future day?"

The Controversy. (C) *As to convening a General Synod. January to June.* The controversy, which broke out on the merits of the Lay Claims and on the opportuneness of raising the question at this time, could hardly help developing into a renewed cry for the summoning of a General Synod to settle the matter officially one way or the other:—

(1) As was natural, some defended the Episcopal *non possumus*. Thus A. T.,[c] after pointing out that the Church was divided as to whether any change at all ought to be made, went on:—"It is equally clear that a wide difference of opinion and feeling exists as to the measure and mode in which such power should be given (to the Laity). One class of Churchmen wish to introduce the Laity as constituent members into the existing Synods, both diocesan and general. Others would regard such admission as infringing on the recognised constitution of the Scottish Church; and of the ancient and undivided Catholic Church. But many of this class of Churchmen would gladly see organised conventions or mixed councils of laity and clergy discussing and settling all questions and schemes not involving any purely spiritual matter. Then, again, among those, who are favourable to the Laity in Synod, there is a difference. The Primus has said 'that he strongly held that the declaration of doctrine should rest with those, with whom it has always rested, viz., the Bishops and Clergy. The Bishop of S. Andrews[d] has said that he would give the laity the fullest power to vote on any question.' Now, sir, in face of such serious and various differences of opinion among churchmen, I would ask—Is it possible that any good, or, indeed, any practical result could come out of the deliberations of a General Synod, if called at the present time?"

c S.G., Jan. 2, 1871, p. 58. d See S.G., Dec. 1, 1870, p. 18.

(2) But there were others who felt aggrieved at the refusal of the Bishops. Thus A. T.[e] himself writes:—"It is not surprising that some disappointment should be felt by many Churchmen at the decision taken by the Bishops not to call a General Synod on the lay question." And Mr John Ligertwood[f] gives expression to the widespread disappointment thus:—"In the meantime the opponents have succeeded in staying the consideration of this question in a General Synod of the Church. It cannot, however, be imagined that it will be long before the Episcopal Synod (considering the character and circumstances of its last meeting) will again resume consideration of the subject. The Episcopal Synod cannot continue to allow the memorial of even seven noblemen to 'balance,' as the Bishop of Aberdeen[g] expresses it, 'the opinions conveyed through the Diocesan Synods,' which are the duly recognised and only legitimate channels for expressing to the Bishops the opinion, which they requested, of the Church on the subject."[h]

The Controversy (D) *from July to December.* Such was the controversy, which raged during the first six months of the year 1871. Somewhat curiously, it was immediately followed by a lull. During the last six months of the same year no allusion is made to the Lay Question either in Bishops' Charges or Diocesan Synods, or in the columns of the *Scottish Guardian*[i]; nor in any Pamphlets known to the present writer. The only exception is a Letter in the *Scottish Guardian* by W.L.L. in November,[j] in which the meeting of a General Synod for a complete revision of the Canons is advocated, and, of course, the Lay Question is included in the list of subjects proposed.

e S.G., Jan. 2, 1871, p. 58. *f* S,G., Feb. 1, 1871, p. 92.
g See S.G., Dec. 1, 1870, p. 17. *h* See also S.G., Dec. 1, 1870, pp. 4-13-37.
i *Apostolicus* has, indeed, two very long letters in the S.G. for June and July, but they were sent to the Editor in April. See S.G., April 1, 1871, p. 176.
j S.G., Nov. 1871, p. 225.

CHAPTER XV.

1872. Continued Agitation and a Movement by the Bishops.

The lull during the latter half of the year 1871 proved to be only a short period of peace in the midst of a storm. The controversy broke out again as actively as ever in 1872, and continued throughout the whole year. Nor was it merely unofficial controversy, as in 1871. In more than one way official action was taken :—

I. *The Controversy (a) On the Merits of the Question.*

The controversy on the merits of the question was revived and continued. But there was a distinct change in its character. Hitherto the principles and practice of Christian Antiquity figured largely in the discussion. But almost nothing was heard of this during the present year:—

(1) Lord Forbes, indeed, called attention[k] to a correspondence between Archdeacon Churton and Canon Bright, which appeared in the *Church Times*,[l] and brought forward the "consensi et subscripsi" of the Laity at the *Council of Orange* (A.D. 529), and held that "their subscription does not prove that they had votes: nor because they were asked or allowed to give their consent, does it at all follow that they had the right or would have been allowed to dissent." He also dealt with the case of *S. Cyprian* by quoting the following words of Dr Pusey[m]:—"The language of S. Cyprian, which has been dwelt upon as implying an admission of Lay authority, relates not to Synods, but to the wisdom of his government, or the special case of those, who, after openly denying the faith in persecution, desired to be restored individually to the communion of the Church. The whole question had nothing to do with the legislative Synods."

k S.G., Aug. 1, 1872, p. 67. *l* C.T., Apr. 26, July 12.
m Councils of the Church, pp. 74-86.

(2) But otherwise the aspect of the question was dealt with in a different manner during the year. It was made the subject of a lively correspondence between (a) *Apostolical Order* and (b) Major Scott of Gala. But the object of neither of these writers was to investigate ancient precedent.

(b) The latter printed "pamphlet after pamphlet," in which he asserted that the study of Antiquity had resulted in *the final acceptance by the Anglican Church of two propositions*:—(1) "That the admission of Laymen into Synod, with right of voting, would be a return to the practice of the early Church." And that the Church had finally been led to the acceptance of this statement, he shews thus:—"It[n] has been carried into practice in America, the Colonies, and in Diocesan Synods of the English branch of the Church. It has further received the imprimatur of the College of Bishops of the Church of Scotland by the resolution passed in 1852." And later[p] he adds:—"As to the position of the Church of England in the matter, the Diocesan Synod at Salisbury is not the only Synod that has been convened in England. The Bishop of Lichfield was the first to move in the matter. The Bishops of Rochester and Oxford have also convened Synods, and the Bishop of Lincoln has also convened what has a strong resemblance to a Synod of Clergy and Laity. The subject has been discussed in the Upper House of the Convocation of Canterbury, and the Bishops have generally expressed themselves as favourable to the movement, and the Convocation of York passed a resolution in favour of the Lay Claims. (2) Major Scott's second proposition was that "we now have the (Scottish) Clergy unanimous as to the expedience of concessions." And this he proves by a reference to the Primus's Summary of the findings of the Diocesan Synods read to the Epsicopal Synod of December 16, 1870.[q]

(a) These proofs brought forward by Major Scott are answered by *Apostolical Order* in the following manner[r]:—To the *English instances* brought forward *he replies* by ask-

[n] S.G., Apr. 1, 1872, p. 172.
[p] S.G., May 1, 1872, p. 217. [q] S.G., Dec. 1, 1870, p. 15.
[r] S.G., Apr. 15, 1872, p. 190.

ing:—"What says the Prayer Book about the Lay vote? Nothing. What say the Canons? Nothing. What says Convocation? Nothing. Nay, the very existence of Convocation as an exclusively clerical body is plainly a silent protest against the very idea of the Lay vote. Are there Synods with laymen sitting and voting generally throughout the 28 dioceses of England and Wales? No. Have the actual English Bishops committed themselves to the principle of the Lay vote? Only, I think in one instance. To what, then, are the facts reduced? Simply to this, that Bishop Moberly, having written a book inclining to the Lay side of the question, has started a mixed Synod as an experiment, and that in this attempt he has failed to carry with him the co-operation of the entire Clergy." (2) As for America, the Colonies, and, more recently, Ireland, *Apostolical Order* considers that these are to be viewed as "awful examples" of the danger of acting on simple expediency. (3) "As for the resolution of the Scotch Bishops in 1852, surely Major Scott will allow me to set against it their resolution of 1870." (4) As to the second point, namely, that the Scottish Clergy, as shewn by the result of the special Diocesan Synods on the subject, were unanimous in favour of the Lay Claims, *Apostolical Order* shews that, although the findings of the Synods could be taken as favourable, yet the Clergy themselves were far from unanimous.

(3) Several other minor letters on the merits of the question appeared,[s] and in particular one by the *Rev. James M'Cann, D.D.*, which ended characteristically with the words:—"Should any of your correspondents favour me with a reply, may I ask them to abstain as much as possible from the use of stereotyped, theological phraseology?" Primus Eden[t] also, and Bishop Wordsworth,[t] publicly repeated in a few words their adherence to their previously expressed opinions. But, passing over these, let us hear *what Bishop Cotterill*, who through the death of Bishop Terrott on April 2 was now Bishop of Edinburgh, *had to*

[s] S.G., 1872, Vol I, pp. 192., Vol. II, pp. 89-156-235.
[t] S.G., Nov. 15, 1872, p. 284; S.G., Oct. 1, 1872, p. 175.

say on the subject. Speaking to the Diocesan Synod on May 2nd he said[u]:—(1) "The co-operation and concurrence of all classes in the Church must be obtained in our Synodical action. The well-known words of *Hooker* (*Eccl. Pol.*, viii., vi., 11) express a fundamental principle of human society. How in an unestablished Church and a free country, Church legislation is to have effect, except through the consent of all concerned; or how the consent of the Lay members of the Church is to be obtained, except by their being represented in the legislative assmblies of the Church, I have never yet seen any attempt to explain. I can hardly suppose than any will seriously argue that it is a Chirstian duty for the Laity to accept unreservedly Church laws affecting, directly or indirectly, the whole body, which may be made for them by the Bishops and Clergy." (2) "From the *New Testament* it is abundantly clear that the Apostles themselves never claimed to be legislators in the sense, in which Moses legislated for Israel under the dispensation of the law; but that in those things, which concerned the interests of all, they sought the concurrence of all." (3) "That the action of the Laity has *in all ages* materially affected and modified Church legislation: that Laymen were present in the Synods of the early Church; that their advice and opinion were taken; that they signed decrees of Councils as consenting,[v] are well-known and admitted facts." (4) "It is true, indeed, that the *Laity had only a votum consultativum and not a votum decisivum*—a vote in determining the decrees of the Synod: but neither had the Clergy generally this vote, which belonged certainly in the Diocesan Synods, and apparently in all Synods in the early Church to Bishops alone." (5) But it would be pedantry or worse to rest the question as to Synodical action now on such grounds as these. *We are not children* to be bound servilely, without considering the reasons of things, to follow the precedents of past ages, always incomplete, never strictly applicable to ourselves. We must apply the lessons gathered from the past, under the guidance of the Spirit and Word of Christ, to our pre-

u S.G., 1872, May 15, p. 259.
v Hefele's *Hist. of Christian Councils*, Introd., sec. 4, Members of Council.

sent condition and necessities! That this principle should be expressed in somewhat different forms and modes under different conditions of human society, is the necessary result of the Church being the living Body of the Son of Man, and not a dead relic of bye-gone ages." (6) A little later on, the Bishop mentioned another reason for his being in favour of the Lay Claims:—"I believe the fact to be," he said, "that, as a general rule, the co-operation of the Lay members of the Church in its legislative assemblies is *necessary to the Laity themselves as an education* in Church questions. As political science is not ordinarily studied or appreciated, except in those countries where there is constitutional government, so is it also with ecclesiastical matters. A Laity utterly unused to the discussion of such questions, unaccustomed to hear any arguments against their own opinions, is no doubt a dangerous element in the representative assemblies of any Church, and, although truth will prevail in the end, if its voice be not stifled, but is firmly, wisely, and patiently uttered, yet in the meanwhile irreparable mischief may be done." (7) Having alluded to the favourable findings of the Committee of the Lambeth Conference of 1867, the discouraging nature of the Movement in Ireland and its encouraging nature in America, the Bishop concluded his general remarks in favour of the Lay Claims. (8) He added a word on the *opportuneness* of granting them at that particular time in Scotland:—"Happily," he said, "we have not any danger to apprehend in this country from the temper of our Lay Brethren. From various circumstances, the Laity of our Scottish Church have been led to study ecclesiastical questions; and their admission into our Synods would strengthen us by the presence of a large body of educated men heartily and intelligently attached to the principles and order of the Church, capable of aiding us by their counsels, and utterly indisposed to interfere with those matters that belong to the province of the Clergy." (9) At the same time, while advocating advance, he remarked that "We have not now to initiate Synodical action amongst ourselves, for we have laws and usages already existing," and this actual condi-

tion of affairs "renders it expedient for us, while we proceed, *to proceed with more than usual caution* in the application of the principles here enunciated."

II. *The Controversy (b) As to the Summoning of a General Synod.*

But those, who were persuaded of the justice of the Lay Claims, were in no mood to leave the controversy in the position of a mere academic discussion. They were determined, if they could, to move the Bishops into summoning a General Synod for the settlement of the matter. And hence there was controversy not only concerning the abstract rights of the Laity in the Christian Church, but also concerning the need of convening the Legislative Body to deal with the question. And so now we must proceed to recount the reasons given for and against the summoning of a General Synod:—

(1) Beginning with the *reasons against*, we find the following in the *Scottish Guardian*:—(a) Some were *persuaded that there was no real agitation* in favour of a Synod, and therefore no need for calling one. Thus the Rev. T. I. Ball[w] wrote:—"It is quite true that a very small knot of respectable names may be quoted as perfectly enthusiastic for immediate action being taken on all sorts of matters, great and small, but these very few, though excellent, gentlemen are not quite identical with the Laity of the Scottish Church. To take your simile of a ship: What would be said of the Captain of a vessel, quietly sailing in calm waters, if he were to rush to give orders for all the preparations for a storm to be made, because a few hysterical passengers chose to cry out—'Oh, Captain, *do* make everything safe! we're sure there is something dreadful going to happen; such horrid storms have been going on in other places; and we are all so anxious to pull ropes and work at pumps, or to do something to save the *dear* ship from going

[w] S.G., Oct. 1, 1872, p. 156.

to the bottom!' No doubt there are serious storms in Ireland, with mutterings of a coming tempest in England; but, as far as I am able to learn, the proverbial tea-cup would circumscribe all that it has been found possible to get up in the shape of a storm or tempest in Scotland. No doubt if 'anything' is done in England, we shall be obliged to take measures in consequence here; but at present the faithful in Scotland can hardly be said to have 'settled' whether there is 'anything' that a General Synod could meddle with profitably at all." (b) Others, however, admitted that the agitation was a real one. Only they considered that *it had not yet worked itself out to its legitimate conclusion*, and that therefore it would be premature to call a General Synod. Amongst these was Dean Thom, who moved in the Diocesan Synod of Brechin:—"We, the presbyters of the diocese of Brechin, in Synod assembled, under the presidency of our Bishop, resolve to memorialize the Right Rev. the College of Bishops, praying their Reverences to delay the asking of a General Synod till the various important questions now agitating the minds of the faithful have been more fully and satisfactorily discussed and matured for legislation."[x] And the Synod itself accepted this motion by a majority or 9 to 6. (c) But there can be no doubt that the real reason, which led the more thoughtful opponents of the scheme to urge the Bishops to continue their *non possumus* against the General Synod was correctly stated by an anonymous writer in the *Scottish Guardian*, when he said:—"I am sorry to find in the minds of those, who at the present moment are opposed to the early assembling of a General Synod, a fear *lest it should be led to sanction the admission of the Laity to vote in the Synods*."[y] This being the case, every argument which has already been detailed in these pages against the justice of the Lay Claims on their merits, became at this time an argument against summoning a General Synod." Obviously, however, it is not necessary to repeat them here. (d) We pass on, therefore, to state another reason, which led some to resist the proposal. One writer[z] throws a good deal of light upon the situation, when

x S.G., Sep. 16, 1872, p. 143. *y* S.G., 1872, Sept. 2, p. 114. *z* Ibid. p. 97.

he informs us that the fear of a General Synod amounted in certain quarters to "a feverish frenzy." And the reason was this, that such persons saw in the proposed council not merely an instrument for introducing the Laity into the Synods, but for *precipitating a general cataclysm*. "What do they fear?" asked the *Scottish Guardian*. "Some earthquake, some signal convulsion, which will rend the Church in twain and open a wide gulf, into which mitre and crosier, stole and surplice, shall be precipitated headlong!" These extreme fears were stated in a reasonable way by the Rev. J. R. Dakers,[a] who expressed a dread of an attempt being made "to include non-communicants in the constituencies, by which the lay representatives should be elected." Secondly, he was afraid that "in the minds of those, who keenly advocate the Lay Claims, the ideas of the relation of Bishops to their Synods are derived from the practical working of the British popularly-derived Monarchy and of the British Parliament." Thirdly, "it appears to some that the whole matter has been pressed forward with an amount of clamour, agitation, and continued appeal to the will of a numerical majority, which is quite unsuitable to the question in hand, and suggestive of very possible dangers." The extreme fears were expressed in an exaggerated and incorrect, but yet honest and characteristic way by a speaker in the Diocesan Synod of Edinburgh (a Layman), when he said:—"If we are to have a General Synod instituted on a similar footing to that of Ireland, I have no doubt the Church will suffer greatly. By nine to ten of these Laymen, supported by the clergymen, it was resolved to abolish the institution of the Priesthood, and that a Deacon should be entitled to administer Absolution. As a sequel to that, they have gone to the Ordination Service and ruthlessly struck out the words 'Receive the Holy Ghost.' Not contented with doing what I have stated, they have mutilated the Sacraments. They have adopted the Gorham opinions upon Baptism. They have made the most frightful changes in the Eucharist, altering the Consecration Prayer. The

[a] Ibid., Oct. 1, p. 159.

Anglican Lower House of Convocation have informed them that, if they pass these proposals, there will be no further communication between the Church of England and the Irish Church."[b] There can be little doubt that what the Bishop of Edinburgh alluded to as the *perfervidissimum ingenium* of the Irish, as displayed in their disestablished Synod, was a serious influence working against the summoning of a General Synod in Scotland at this time.

(2) We come to the *reasons alleged in favour of summoning a General Synod at this time*. The materials, which aid us in setting these forth, are scattered in such rich profusion about the *Scottish Guardian* for 1872 that we shall make no attempt to refer to them all. The course we will pursue is to quote from an Article, which appeared on November 1st,[c] and gave "a summary of the arguments in favour of an affirmative answer to the significant question, Shall we have a General Synod?" and to supplement it from one or two other sources:—

(a) "Ten years have passed since the last General Synod was held. They have been years of unexampled stir and movement in religion, science, literature, and art: and to look back upon 1862 from the vantage ground of 1872 is like looking back upon a far-off country." "If, therefore, *the Church is to keep abreast with the necessities of the age;* to grapple with fresh developments of thought and belief, and to adapt her legislation to the novel circumstances which continually press upon her, she must re-organise her constitution, and adapt it to the altered conditions, under which much of her work is necessarily done.

(b) "If, as some among us have recently asserted, the Church is not to meet in Council, until the minds of the faithful are settled on the important questions now disturbing them, we surely lose a great opportunity of beneficially employing her legitimate influence. Is it not the duty of the Church to *guide the minds of her children* into the right path, and to allay their anxieties *by her authoritative deliverances?*"

b Ibid., May 15, p. 268. *c* S. G. 1872, Nov. 1, p. 218.

(c) Of course, the chief point, on which the Church was to "guide the minds of her children" by "re-organising her constitution and adapting it to the altered conditions," was the granting of the *Lay Claims*. The objections to that the writer thus endeavours to meet:—"It is useless to deny that this unwillingness on the part of a minority to join in a petition for the convention of a General Synod is due to the fear that the Lay Claims will be pressed upon its consideration." "We think, however, we may promise our clerical friends that they will find the representatives of the Laity more ready to conserve than to destroy. The correspondence, which has appeared in our columns, and the repeated declarations of the warmest advocates of the Lay Claims, should satisfy the most apprehensive that no desire exists to demand any unreasonable concession."

(d) "Let us remember, however, that a General Synod will be called upon to deal with *several questions of high interest*, more pressing even than a recognition of the claims of the faithful laity." Amongst these were:—The adoption of the New Lectionary, Cathedrals, the Athanasian Creed, Home and Foreign Missions, Periodical General Synods,[d] the constitution of the Church Society, the recent Education Bill, greater freedom in Divine Service[e], revision of the Canons,[f] the Walker Bequest.[g]

There were at least three or four other good reasons mentioned in favour of convoking the General Synod, not mentioned in the *Scottish Guardian* article of Nov. 1. They were as follows:—

(e) The first was mentioned in a Petition[h] to the Primus presented by the great majority of the Clergy of Moray and Ross:—"We cannot but feel," they said, "that *our Diocesan Synods suffer* in life and reality by the consciousness that our Church offers no certain machinery for giving practical effect to their deliberations."

(f) Speaking[i] in his Diocesan Synod on May 2nd, the

d Ibid., May 1, p. 224. *e* Ibid., Feb. 1, p. 51.
f Ibid., Oct. 1, p. 168. *g* Ibid., May 15, p. 270. *h* Ibid., May 1, p. 224.
i Ibid., May 15, p. 259.

Bishop of Edinburgh (Cotterill) advocated a General Synod, as for other, so particularly for the following, reason:—"I must," he said, "express my own deep conviction that, until our General Synod shall meet periodically, the *corporate life of our Church* will make no steady progress. That life *is at present dormant.*" That was an argument indeed specially in favour of periodical meetings, but it applied also, though with diminished strength, to the case of a single General Synod to be held at once.

(g) In a Petition[j] presented by Lay Members of the Diocese of Aberdeen, the following reason was alleged:—"That *in the year 1870*, and in terms of a Resolution of your Lordships, *the various Diocesan Synods met* to consider the question of conferring additional privileges on the Laity, the Lay communicants being invited to attend and express their opinions: and that the Synods, though differing in details, were *unanimous* in the opinion that the Laity should be admitted to additional powers and functions."

(h) The *Scottish Guardian*[k] made the following relevant observation:—"Nothing is more *dangerous* to the peace of any body, religious or civil, than *unsettled questions*. They are always cropping up, like the faults in a geological formation, to perplex, astonish, and harass. When there are restless spirits in a house, the prudent owner proceeds to obtain the aid of bell and candle, and formally exorcises them. Let us, for the sake of the peace of our Church, adopt as wise a course on the present occasion, and endeavour by the united efforts of our Clergy and Laity, to solve the several problems, that for some time past have been the object of so much controversy amongst us."

As will have been noticed, the foregoing reasons in favour of convening a General Synod were advocated not merely by the *Scottish Guardian*, and many of its correspondents, but also in the Charge of the Bishop of Edinburgh and in petitions presented to the Episcopal College from the Dioceses of Aberdeen and Moray and Ross. Moreover, the Bishop of St. Andrews (Wordsworth) expressed

j Ibid., March 1, p. 117. *k* Ibid., Sept. 2, p. 97.

himself in a similar sense in his annual Charge on Sept. 26[l]; the Diocesan Synod[m] of Edinburgh unanimously carried a strong appeal for the convocation of a General Synod; and the Diocesan Synod[n] of Argyll and The Isles, assuming that a General Synod was assured, "appointed a committee of Clergymen and Laymen to consider the existing Code of Canons."

III. *Action by the Bishop of Edinburgh.*

But the year 1872 was to see, not only a full discussion of the Lay Question on its merits; and not only a widespread demand that a General Synod should be convoked to deal with it practically, but also action, though not emanating from the highest Court of the Church, yet of an official kind. The Bishop of Edinburgh (Cotterill) had formed clear views on the subject, when he presided over the See of Grahamstown. On May 2nd he thus addressed[o] his first Diocesan Synod in Scotland:—"Having for fourteen years found the immense benefits of the Laity in the Synods, and having, I must say, gone to my former diocese in the first instance with some few prejudices against synodical action, I cannot but bear my testimony to the extraordinary value of the presence of Laity in our councils." Accordingly, he did not hesitate at once to propound a notable scheme for the Synod of Edinburgh. He introduced it in these words:—"I propose[p] in our future Diocesan Synods—at least until a General Synod shall have altered the Canon—to *adopt the following scheme*, in the details of which I shall be thankful to be guided by your counsel. (1) I intend to invite every Church or Congregation in the Diocese to send one or more lay communicants to the Synod (in the language of the English ecclesiastical law, 'synodsmen' or 'sidesmen') to represent here their opinions and interests, and to take such part in the discussions as the Canon allows to all male communicants resident in the Diocese. (2) I shall further request this body of Synodsmen, whenever any resolution shall be

l Ibid., Oct. 1, p. 175. *m* Ibid., May 15, p.. 271. *n* Ibid., Oct. 1, p. 170.
o Ibid., May 15, p. 272. *p* Ibid., May 15, p. 260.

passed by the Synod, which may affect, directly or indirectly the whole Church, to express to me their concurrence or dissent, before I give that sanction to the resolution, which is necessary to its validity. As this conference of Laity would have, as yet, no canonical force, I cannot say more than that I should consider it very inexpedient to attempt to give effect to a resolution of the Synod, affecting in any way the interests of the Laity, if I should discover, from the opinion expressed by the Synodsmen that it would not be generally acceptable to our Lay Brethren." (3) A little later on in the lengthy debate,[q] the Bishop explained the method, by which, without infringing the Canon, he proposed to enable his lay representatives to express their opinions both by speaking and voting. In the Synod proper, of course, the Clergy alone had the canonical right of voting; but, when the Synod resolved itself into Committee, the Bishop held that it would not be against the Canon for the Sidesmen to vote as well as speak on an equality with the Clergy. "I think," he said, "if we have our lay brethren here, that *in Committee they might vote with the Clergy.*"

The Bishop's scheme was presented to the Synod in a series of resolutions. Provost Cazenove lent all the weight of his learning to their support. The Rev. D. F. Sandford (afterwards Bishop of Tasmania), and the Rev. J. F. Montgomery (afterwards Dean of Edinburgh), championed the same cause; and Bishop Cotterill had the satisfaction of seeing his scheme accepted with practical unanimity.[r]

No doubt the Bishop of St. Andrews would have been moving in the Lay Question also; but, unfortunately, his Synod was distracted about this time by the Ritual controversy in connection with Perth Cathedral.

IV. *Action by the Synod of Bishops.*

(a) The Controversy, then, had borne some practical fruit in Edinburgh; but *as yet the Episcopal Synod had*

[q] Ibid., June 1, p. 291.
[r] Ibid., May 15, pp. 271-2; Ibid., June 1, pp. 291 8,

refused to take any step, by which a like result might have been obtained for the whole Church. And the reason for this inactivity on the part of the Bishops was frankly stated by the Primus in his annual Charge.[8] "Up to the present," he said, "no action has been taken. I can only express my hope that we may be able in the course of next year to convene a General Synod. There is a majority amongst the Bishops in favour of it; but I am sure it would be your wish, as well as my own, that a measure of that kind should be adopted by the unanimous action of the Bishops rather than by a mere majority."

(b) However, although the Bishops could not secure unanimity amongst themselves in favour of calling a General Synod, they did not allow the year to close without taking action. At the Episcopal Synod held on November 19th, the following agreement was come to. *The Primus*, after explaining that he was willing to drop his motion in favour of convoking a General Synod, went on:—"With a view of presenting the scheme in such a way as may be practical, and may meet with general concurrence, the Bishops are disposed to take the whole matter into their serious consideration; and, finding that it is the wish of the Bishops generally, instead of moving such a resolution as that, which I proposed to do, I am now prepared to move '*That the Bishops form themselves into a committee, with the view of considering whether they can agree upon a practical scheme* to be recommended to the Church, the object of which should be to admit the Laity to greater powers in general, and also in Diocesan Synods and in Convocation, consistently with the principles and original constitution of the Church Catholic, and without interfering with the inherent authority of the Episcopate.'" *The Bishop of Brechin*:—"In view of the great importance of unity with my brethren, I have much pleasure in concurring in this proposal, in order to come to a decision on the matter." *The Bishop of Edinburgh*:—"I think it right to say that I entirely concur in the terms of the resolution. I think it

[8] Ibid., Nov. 15, p. 284.

extremely desirable that we should meet on common ground. My own conviction is that our differences as to the question are not so fundamental as appear to some." *The Bishop of St. Andrews*:—"I concur entirely with the Bishop of Edinburgh, and, inasmuch as we have discussed the matter many years, I do not see the necessity of saying anything more." *The Bishop of Glasgow*:—"I concur." *The Bishop of Aberdeen*:—"I also concur." The motion of the Primus was accordingly carried unanimously.[t]

(c) The *Scottish Guardian*, in this no doubt giving voice to the general feeling of the party of reform, *hailed this decision with satisfaction*, and ventured upon the region of prophecy:—"We[u] congratulate the Church," it said, "that at the recent Episcopal Synod the Bishops made a very decided and deliberate step in advance towards the settlement of two questions, in which the Church is deeply interested, namely, the admission of the Laity to fuller privileges and the Convocation of a General Synod. So long as an opponent rests upon the *non possumus*, and refuses to budge a step from his standpoint of impassable resistance, you are utterly helpless; but the moment he signifies himself willing to listen—willing to take into consideration what you are prepared to put forward—a hope is afforded of coming to a satisfactory conclusion." "We should be inclined to think that a scheme will be submitted to the Bishops, of which they will approve; that a General Synod will be called to discuss and adopt it; and that, when adopted, a second General Synod will be summoned consisting of clergy and laity to proceed to the consideration of the various problems, which await a speedy solution. We see no reason why both these Synods should not be assembled next year, and therefore again we congratulate the Church upon the prudent resolution, at which the Bishops have arrived."

[t] Ibid., Dec. 2, p. 309. [u] Ibid., Dec. 2, p. 285.

CHAPTER XVI.

1873. The Merits of the Question once more.

The hopefulness of the *Scottish Guardian's* remarks, as quoted at the end of the last chapter, seemed to be based on good reason, but "there is many a slip betwixt the cup and lip," and the fact proved to be that, of all controversial years, 1873 swiftly became perhaps the most controversial. Of course all aspects of the case began to be discussed together, as soon as it was officially announced that the Episcopal Synod was moving; but it would make confused reading if we were to be guided in the arrangement of our narrative solely by chronological order. We shall, therefore, make subject matter our guide and use the order of time in subordination to that. And this leads us to devote the present chapter to the consideration of how the *Merits of the Lay Claims* presented themselves to the minds of the men of 1873:—

A. *Arguments against the Lay Claims.*

The opponents of the Claims displayed great literary activity, and the following are abridged notices of their chief writings and speeches:—

I. At the request of the Bishop of Brechin (Forbes), a communication on the subject appeared in the *Scottish Guardian* from the Rev. John Jebb, D.D., Canon of Hereford. In this[v] the writer first drew his readers' attention to Joyce's "The Civil Power in relation to the Church" (a). In considering *Acts xv. 22-3, etc.*, he took the view that "the Brethren communed with the Apostles . . . in a certain administrative act in order to show that they had accepted the doctrine and discipline of Christ, not as a thing

[v] S.G., 1873, April 11, p. 320-2.

devised or ordained by themselves as by a voluntary Society, but as proceeding from the divinely-constituted rulers of the Church." But, secondly, who were the Brethren? Considering the gifts of the Holy Ghost being then so prevalent, "he claimed for them a sacred character, which has long ceased to exist in the Church." (b) *Precedents*:—Those of *Scottish Presbyterians* and *Foreign Protestants* not admitted. That of the *American Church*. "I could never understand how the precedent of a small, distracted, unlearned, and insulated community, driven to extremities in an age most lacking in ecclesiastical learning and instinct, can be reasonably alleged." As for the *old English Councils*, which were mixed: "the Church principles taught by the Clergy were accepted by the Laity without debate"; "the Church preserved its privilege of having separate Councils"; "the King and his Councils gave the force of municipal law to that, which the Clergy had defined." As for the "concurrent conciliar testimony of *Christendom*; when laymen did attend, it was either as *audientes*, or suitors in a court, or special counsellors, not delegated by the people, but invited, and that very ecclesiastically, by the Bishops." Dealing with the Lay signatures at the *Council of Orange*, he remarks:—"Now this *definitionem* (which the Laity signed) is declared to be '*nostram*,' that is, of the Bishops." Coming to the *Gallican Church*, he argues at some length that "no introduction of the Laity was ever sought or attempted." And in the General Assembly of the French Clergy, even the Priests had only a consultative voice. (c) How about *Deacons?* "The Clergy are of course represented in the new-fashioned Synods by Priests and the Laity by Laymen. So that, supposing elective representation to be essential to a Synod, the Deacons are nowhere!" (d) "Let me add my very serious fear that the demand for Lay co-operation in synods and consistories arises very much from the *democratical notions* of government, which are now and have so long been rife. Men almost unconsciously assume that a national or provincial Church is like a State." The fallacy of this he proceeds to shew. (e) "The unhappy state of the *Irish Church* brings to light this argument in the

meanest form. There it has become an appeal to the purse. Because the Laity contribute to the temporal sustentation of the Church, they have therefore the right to dictate to her in spirituals." (f) "Practically, and apart from all questions of principle, I fear that the result in Ireland and Scotland will be the *degradation of the Presbyterate*."

II. A Pamphlet[w] entitled "May Laymen have Decisive as well as Consultative Votes in the Sacred Synods of the Church?" The manner of its publication was somewhat noteworthy. It was explained in the following prefatory note:—"The Bishops of Brechin, Aberdeen, and Glasgow being very desirous that the Church should weigh well the momentous nature of the changes proposed in the government of the Church, by admitting the Laity to further powers in Synods or Councils, called in the aid of an eminent Barrister in England, who has devoted much of his time and thought to the question, and who, by his profound learning, is competent to treat the matter thoroughly. A question was submitted to him in the form of a Case, and the result is now published for the information of the Church."

This Pamphlet begins by laying down that "the recognised Constitution of this Church will of necessity be in harmony with Christian Antiquity." "The question therefore presents itself (a) Does *History* sanction lay people possessing the power of a decisive vote in the Sacred Synods of the Church? This he answers in the negative. Notwithstanding "the[x] intense sanctity that attached to the *Emperors* as such," he shews by quotations from Theodosius, Valentinian, Basil, Honorius, and Theodosius, the younger, that even they always confessed that "it is not lawful for one, not of the most holy Bishops, to mingle in ecclesiastical questions." And not only is this evident from the case of the Emperors, but also "There[y] is not a single example in all the ages preceding the 6th century, of any Layman being a constituent member of a Synod, though the evidence for their *presence* is abundant. And this could

w Edinburgh: Grant & Sons; 1873, 14 pp. *x* Ibid. p. 5. *y* Ibid. p. 6.

not have been the result of accident. It is too definite and too uniform to be anything but the expression of a principle known and fixed, enshrined in the traditional practice of every age, observed *semper, ubique et ab omnibus.*" (b) Coming to *Scripture*, he says:—"The Pastoral Epistles, explaining the Acts of the Apostles, distinctly manifest to us the existence of a κλῆρος. Even so moderate a writer as Bingham[z] maintains this distinction "between Clergy and Laity." "The[a] fact of the distinction is too obvious to require proof. The real question is, What is the distinction? There are some things, which the Clergy as a class can do, but which the Laity cannot." "Now it is certain that one scriptural distinction between the Clergy and the People is that the former have authority and that the latter have not. The Clergy rule, feed, command, make ordinances, exercise all power of government. None of these is anywhere in Holy Scripture predicated of the Laity." (c) For *Post-Apostolic times* he here quotes from S. Clement[b] and S. Ignatius.[c] (d) The Pamphlet then concludes with the statement of *certain Objections and Answers* to the same. We shall state each objection, and give one out of the several answers returned to it. *Objection 1*—"The co-ordinate share of the Laity in the election of primitive Bishops delegated to them all lay authority for synodal purposes." *Answer.*—"The Laity did not, properly speaking, elect their Bishops." "The election was made in their presence; while they were standing by; with their approbation."[d] *Objection 2.*—"The Emperor's ratification of Synodal Decrees was equivalent to the Synodical consent of the Laity." *Answer.*—"That there were many Synods whose decrees were not so ratified, and that the Lex Regia was an imperial, not an ecclesiastical law: it conferred only civil authority." *Objection 3.*—"The assent of the Laity given to Synodical decrees (as at Orange A.D. 529) implies the power of dissent, and proves some degree of real authority." *Answer.*—"Right of assent does not *per se* prove that assent to be authoritative." *Objection 4.*—

z B. 1, c. v. *a* Ibid. p. 8. *b* Ep. I., s. 40.
c Ad. Mag., s. vi.; Ad. Trull, s. ii.; Ad. Smyr, s. vii.
d See Bp. Sage Vind. Cyp. Age, c. vii., s. 42.

"The[e] binding force of all Law consists in the assent of all, who are to be subjects of it." *Answer.*—"The major premise is false, even as regards temporal law. Every law in the commonwealth is made by a mere fraction, personally or by representation, of those who are to be bound by it: far less than half of the population in our own land having so much as the elective franchise." *Objection* 5.—"The Spiritual[f] Unity of the Church and of the Life of the One Divine Spirit, pervading every member of the mystical Body, establish at least a presumptive right for the Laity to a share of authority in ecclesiastical legislation." *Answer.*—"It does not follow that, because the One Spirit indwells every member of the Body, therefore the manifestations (charismata) of His indwelling are generically everywhere the same."

III. During the course of this year Lord Forbes published two Pamphlets on "The Lay Claims in Scotland."[g] In No. 1, he addresses himself chiefly to giving quotations from the two treatises, which we have just analysed, and from "a series of papers by Mr J. W. Lea, which appeared in the *Church Review* between July 13 and Sept. 14, 1872." In No. 2 he (1) *quotes principally from Dr Pusey's* well-known works—"The Councils of the Church" and "On the Royal Supremacy." He announces the object of the Pamphlet thus:—"Some additional matter will here be introduced (a) bearing on the Constitution of ancient Synods;[h] (b) the Election of Bishops;[i] (c) the position of the Laity in the time of S. Cyprian; and (d) the authority allowed to Christian Emperors," and deals with these points thus:—(a) On the *Constitution of Ancient Synods*; he quotes from Dr Pusey to shew that in early times the Bishops constituted the Synod proper; had power to bring in the Clergy, but not the Laity. Reviewing the notices of the Councils down to S. Cyprian's time, Dr Pusey[j] writes:—(1) "The amount of evidence that *Bishops alone* had a definitive voice in Synods is, throughout the history of the Church, in pro-

[e] Hooker viii, 6, 1.
[f] Bishop Moberly's Bampton Lectures.
[g] Aberdeen: A. Brown & Co.
[h] Ibid. p. 3.
[i] Ibid. p. 7.
[j] Councils of the Church, Ch. ii., p. 34.

portion to the detail, in which the account of these Synods is given. The evidence must in its own nature be incidental. No one questioned then that Bishops alone had that definitive voice. No one then went about to prove it." "We have, long before the Council of Nice, a Canon received into the Church, that there should be twice in the year Synods of Bishops exclusively, and these to treat of matters of Faith and settle ecclesiastical questions."[k] "To teach, to feed, to rule in things concerning the soul are parts of the Divine Commission given by our Lord to the Apostles and their successors." (2) "*Presbyters*, however, had the same power of teaching, absolving, consecrating, lodged in them as the Bishops. They could lawfully do all, which the Bishop did, except confirm and ordain. If, therefore, the Bishops associate the Priests with themselves in any office of teaching, they only allow the free exercise of a commission, which the Priests have through them already received of God. (3) If they were to admit *the Laity*, as such, they would admit them to that office in an unauthorised way."[l] "The laying down of the truth in Synods was, beyond all comparison, a far weightier office than that of individual teaching."[m] "Accordingly, until the unhappy precedent made in very evil times by the Church of the United States, when struggling for life, the question of Lay Representation was consistently confined to bodies, which rejected the Apostolical Succession. The admission of Laymen to a co-ordinate voice in Councils on the Faith is an innovatoin upon that rule, which the inspired Apostles left with the Church."[n]

(b) *The Election of Bishops.* "There is no ground upon any ancient principle why a real and legitimate influence of the Laity should not be used in the selection of Bishops.[o] See the African Synod of A.D. 254, the Council of Constantinople A.D. 781 in the appointment of Nectarius; etc. "Yet even in the very strongest but very rare case, when the people, actuated by what seems to be a Divine impulse, or once almost by force, constrained Bishops to elect and consecrate the object of their choice, it was still

k Ibid. p. 39.
l Ibid. p. 21. *m* Ibid. p. 23. *n* Ibid. p. 27. *o* Ibid. p. 14.

in theory acknowledged that the decisive judgment was that of the Bishops."[p] (c) "We now come to consider the fact of *S. Cyprian* in the third century consulting the Laity." The point of this precedent Dr Pusey turns thus:—"The whole question," he says, "had nothing to do with legislative Synods. The office, to which S. Cyprian on this occasion admitted the Laity, was to judge the cases of individuals, not to legislate. They were not to determine the principles of the restoration of the lapsed, but the merits of individuals."[q] (d) "We will now refer to the part, which the *Emperors* were allowed to take in ecclesiastical matters." "As the broad outline of the influence of Christian Kings upon the Church, it may be said that they acted *upon*, but not *through* her. They set in motion her own powers and functions, but did not act *for*, much less *against* her."[r] "The Emperors knew of no other way in which they could act upon the Church, than through the Bishops. Even in tyrannizing over the Church, they were obliged to submit to the forms of the Church. Every act of doctrine or discipline is ascribed to the Bishops."[s] (2) Having adduced these arguments from Dr Pusey against admitting the Laity to membership in the Synods, Lord Forbes[t] concludes with *a list of the privileges which they already possess*; i.e.:—Election of Bishops; right of response to *Si Quis* of Ordination Candidates; to the Bishop's exhortation in Ordination Services; their Prayers definitely asked in Ordinations; Vestries; Supervision of Money Collected in Church; other Distribution of Church property; Presence in Diocesan Synods and right of speaking there with consent of the Bishop, and lastly, Share in Public Worship.

IV. Considering the prominent part taken by the *Bishop of Brechin* (Forbes) against concessions to the Laity in the matter of Synodical Representation, it is right that a notice of his *Charge*[u] of Oct. 2nd should be given.

After an opening expressive of the "strong feelings of distrust and dislike, with which he regards "the movement

[p] Councils, p. 46.
[q] Ibid. p. 80. [r] Royal Supremacy, p. 16. [s] Councils, pp. 118-9. [t] Ibid. pp. 15-8.
[u] S.G., Oct. 3, 1873, p. 269.

and alluding to 'grounds of ecclesiastical precedent and Catholic principles,'" he goes on to bring forward the following objections:—

(a) "First to allude to what has actually been going on under our eyes in *Ireland*, which surely we must regard as a Providential warning to us. I shall not seem to be using too strong language, if I say that the position of their Laity in Synod is utterly unconstitutional and the way they are using that position simply pernicious. No one can read the debates on the alteration of the Prayer Book without feelings of the deepest distress and pain." "But I hear it said that Ireland is no warning to us; the circumstances are so entirely different. There is no fear of our Laity treating this Church as the Irish Laity are treating theirs." The Bishop, however, points out that in some ways the Irish have positively the advantage of us: as, for example (1) "In Ireland the Clergyman is in general the social equal of the Lay Representative. In Scotland it is not so." (2) "Moreover another complication exists in Scotland, which is inoperative in Ireland and which tells strongly against the development of Church life here, and that is that the landed proprietors amongst our Laity have to pay for another Church establishment." (3) "Again, our brethren in Ireland have this advantage over us in Scotland, as a field for ecclesiastical legislation that their Laity are much more attached to their Church by hereditary and other ties than ours are." "Upon the whole, therefore, I cannot allow the warning, which the Irish Synod has given us, to be set aside on the ground that their ecclesiastical position is so much worse than ours."

(b) The Bishop also objects to the examples of *Canada* and *Australia*. "In the former the working of the Lay Vote has issued in the domination of an Orange religion quite as narrow and more fierce than that, which obtains in Ireland." In the latter "one has reason to fear that the supernatural has been subordinated to the material." "So far as I know the only important colonial contributions to Anglican divinity are the lucubrations of Dr Colenso."

(c) "As Churchmen *our Laity do not do their duty* in comparison with those around us. The balance sheets of our different funds bear no comparison with the Free Kirk or those of the United Presbyterians. And, if the Laity fail in their own department, are we to think that, if introduced into Synods, they will make a better appearance?"

(d) "But our opponents say:—"You are fighting a shadow; there is no intention of giving the Laity more than a very modified voice in these matters." To this the Bishop's reply in effect is *Obsta Principiis*. "It is impossible in any political or ecclesiastical movement to say, Thus far thou shalt go and no further," and to illustrate his contention, he cites the instance of Bishop Moberly's Salisbury Synod, where the Laity soon got upon doctrinal matters: and a claim made in Bishop Cotterill's Edinburgh Synod to the effect that "the rightful place of the Laity will not be conceded until they are on equal terms with the Clergy."

(e) "I cannot believe that in our Church at present there is a real healthy demand for change. Everything has been done to excite a fictitious enthusiasm on the subject, but I take leave to say it has failed. In the bulk of the Church the most supreme *indifference* reigns."

(f) "While we hear many generalities as to the benefit to be obtained from the introduction of the Laity into Synod, *no distinct good* is promised. We hear nothing of its effect on the spiritual life. Is it to make the Laity more prayerful?"

(g) "But, even on 19th century principles, there is no fairness nor equity in admitting the Laity to any of the special privileges of the Clergy. The *Laity are bound by no obligation* whatever, except the vague condition of being a communicant." "The Clergy can have the bread taken out of their mouths by deprivation under the contract, in which they are engaged by subscription."

(h) "Enough has not been said of the opinions and practice of the *English Reformers*." "Now, I would put it to all, who honour the English Reformation, whether it

is not a most noteworthy fact, that, while in all the forms of religion, which then sprang up on the Calvinistic model, the Laity were without exception admitted into Synods, in the Church of England it was not so." "So, also, in our own Church during the time of its establishment, . . . the Bishops spoke out in more downright terms that the power of making Canons did belong to them only."[v]

Such is an outline of the Bishop of Brechin's *Charge*, but it is to be remembered that he considered the reasons therein adduced only as supplementary to those based on "ecclesiastical precedent and the principles of the Church Catholic." His point of view on the latter may be inferred from his close personal and theological friendship with Dr Pusey, whose position has been already indicated.

V. *Other Defences* of the "status quo" also appeared, but, while recognizing their ability and importance, we shall do no more than barely mention them. On December 12th, 1872, a resolution[w] against the Lay Claims was passed by the Scottish Church Union. Our old friend, *Apostolic Order* wrote a Letter to the *Scottish Guardian* on January 18th, 1873, to confute Dr M'Cann, who was an extreme advocate of the Lay Claims. On May 30th,* *Presbyter Aberdonensis* came out with a "Counterblast Against the Lay Claims." The "Church Times" joined in the fray on July 18th. Two long and able articles appeared anonymously in the "Scottish Guardian" of August 8th and 15th.[x] In September the Scottish Church Union organised an [y]Anti-Lay-Claim Society; and finally in his *Charge* of October 9th the Bishop of Aberdeen followed more briefly in the steps of his brother of Brechin.[z]

We proceed to give notices of some of the *arguments used in 1873 on behalf of the Lay Claims*:—

I. On Oct. 10th the "Scottish Guardian" came out with a leader[a] *in answer to the Bishop of Brechin's Charge*: —(a) "It is not impossible that some of the Bishop's

v Gordon's *Hist. of Scots Affairs*, vol. i., p. 5.; Spalding, ed.
w S.G., 1872, Dec. 28, p. 10. * S.G., 1873, May 30. p. 477. *x* Ibid. Aug. pp. 107-132.
y S.G., 1873, Oct. 3, p. 263. *z* S.G., Oct. 17, 1873, p. 311.
a S.G., Oct. 10, 1873, p. 281.

critics may condemn his reference to the proceedings of the *Irish Church* as not altogether candid. Any casual reader of this portion of his Charge might suppose that certain violent perversions of truth had been effected in Ireland, and that by the Laity alone. The fact is that no changes as yet have taken place, and, if they do take place, it can only be with consent of the Clergy." (b) The Bishop "sees no guarantee for an immunity from the same evils," if the Laity are admitted in Scotland. The "Scottish Guardian" replies that "no fair *comparison* can be drawn *between the Scottish and Irish Laity*, owing to the great difference in their position and the very different influences under which they have been bred up." "But still further: the Scottish Laity do not demand, do not wish for, the privileges enjoyed, or usurped, by the Irish Laity." (c) "When, however, we put forward this humble plea, the Bishop takes us up abruptly: It is impossible, he asserts, to say thus far shalt thou go and no farther. *Once open the sluice and you cannot stay the waters*! Yet soon afterwards he tells us that the Laity do not desire a change: the utmost indifference prevails! But surely the Bishop proves too much: his argument, if valid at all, would effectually prevent the most trivial measure of reform!" (d) "We contend that the Bishop's fabric of reasoning is based on *an erroneous conception of the powers and duties of a Diocesan Synod*. Such questions (i.e., doctrinal) do not fall within the range of synodal discussion." "The Bishop entirely, though unintentionally, misrepresents us, when he speaks of the advocates of the Lay Claims as demanding the magisterium of doctrine—the final power of assent or dissent. They demand nothing of the kind. They claim nothing more than the institution of mixed Councils, to which shall be referred all Synodal Resolutions touching on questions of doctrine or discipline to be affirmed or rejected by a final vote of both Clergy and Laity. Their object is to assist in determining whether certain resolutions shall or shall not be submitted to a General Synod, ultimately to a Pan-Anglican Synod or Œcumenical Council." (e) The Bishop asks "*what distinct good is to be obtained*

from the introduction of the Laity into Synod? Would it improve the spiritual life of the Church? *Answer.*—"The use of Mixed Councils is not to usurp the place of the Priest but to bring about the increased efficiency of our internal organisation." According to the Bishop's own admission its present condition is melancholy. (f) "The complaint is made that *the Laity* now *refrain from* presenting themselves at the *Synodal Meetings*." *But* "what encouragement do they receive?" (g) "It is useless disguising the fact that the principles enunciated in the Charge are those of the rankest *Ultramontanism*. The Laity are to be placed in the position of dumb, helpless children, who are bound to swallow any pill or potion administered to them by their Priests!"

II. The *Very Rev. H. C. Powell*, Provost of the Cathedral, Inverness, contributed a very thoughtful paper to the "Scottish Guardian"[b] "On the bearing of the Lay Question on the present condition of the Church." After assuring a Pamphleteer[c] that he was not an extreme man, and that he would do his best to make the Claims for the Laity clear, he proceeded:—"There are *three facts*, which, taken together, appear to me to carry very great weight as bearing upon this question, and from which seems to arise an impossibility for any one, who seriously believes in the Divine guidance of the Church, of turning aside impatiently from the consideration of it, when it has been reviewed in connection with them. These facts point to a very definite conclusion."

(a) "The[d] first of these facts is the practical adoption of the principle of summoning the Laity to take part in the Councils of the Church by almost *every branch of the Anglican Communion in the* present century. To what is this due? (1) What is sometimes referred to as the unhappy example of the Church of the *United States* will be found unequal to accounting for it." (2) "The Bishops, under whom the *Colonial Churches* adopted the same prin-

b Ibid., April 11-25, 1873, pp. 316-357.
c Rev. H. S. J. Howard: "The Rights of the Laity in Ecclesiastical Legislation."
d S.G., April 11, 1873. p. 317.

ciple, went out not from the United States but from England. It was under the guidance of the late saintly Bishop Gray that the South African Church framed for herself a constitution embodying the representation of the Laity in Synod. Is it not evident that some other influence than the contagion of American evil example was at work? (3) But the action of the Colonial Churches is not the whole of the fact presented. Similar views have been making equal progress *at home*. (4) And it is *not Broad Churchmen only*, whose opinions have undergone a change. It is men, whose Catholicity, whose adherence to the divinely ordered constitution of the Church, whose learning is entirely beyond question, who have come, some earlier and some later, to feel that the question is, after all, one which may be entertained without any disloyalty to the unchangeable principles of the Kingdom of the Incarnation." (5) Then the *Committee of the Lambeth Conference* expressed its opinion upon the historical aspect of the question in these terms:— "Your Committee consider that it is not at variance with the ancient principles of the Church that both Clergy and Laity should attend the Diocesan Synod." Let us notice what the Conference itself had to say to this Report:— "Resolution I.—That this adjourned meeting of the Conference receives the Report of the Committee now presented and directs the publication thereof, commending it to the careful consideration of the Bishops of the Anglican Communion. This was a carefully guarded finding, but it at least implied that, as a question of principle, they left themselves unable to oppose or protest against the statement[e] in the Report of the Committee. Now what must any one, who believes in the Divine guidance of the Church, think of these things?

(b) "Let us now pass to the second fact.[f] Let us mark *certain features in the circumstances of the times*, in which the Church is now placed, which appear to be in striking harmony with the view of *a Providential guidance of her*, which is suggested by what we have just considered. (1)

e S.G., p. 318. *f* Ibid., p. 318.

Observe first the *change* in the opinion of the world concerning the authority and *respect due to the Church.* Is it not the fact that the halo of veneration, which for so many ages rested upon her sacred form and commanded for her the compulsory respect, exacted, even where it was based upon no foundation of living faith, by public opinion, has now at length melted away?" "Notice[g] what forms the assaults against the truth are assuming. Systems of philosophy falsely so called are to be seen on every side—Pantheism, Positivism, Materialism, and even Atheism are familiar as household words. From these as systems I cannot think that the Church has so much to fear. It is the *attitude of mind towards the truth*, which they create; in the feelings towards Religion, which they engender, *that the great danger lies.*" (2) In the *fourth century dangers of a somewhat similar kind* had to be encountered. But there was this difference that the prestige of the Church had not melted away. "Dr Newman,[h] however, remarked how he was struck, in writing his History of the Arians of that epoch, by the fact that the testimony (not so much of the Bishops as) of the faithful to the grand truth was the main cause of its preservation. (3) If, then, in the fourth century, whilst the Church possessed the vantage ground of authority, the testimony of the main body of the faithful was of such great weight and importance, how much more surely must it be so now, *in these latter days*! Is it not manifest that in the present condition of opinion and feeling *testimony borne by the whole body, which forms the Church of the living God, the pillar and ground of the Truth, would carry far greater weight than the testimony of the Bishops and Clergy alone would command?*" (4) In connection, however, with *the actual powers to be conferred on the Laity.* Provost Powell calls attention to certain distinctions, to which it is important to pay heed:—(a) Nothing[i] less than a Synod of the whole Church fulfilling all the conditions of œcumenicity has of right any power to touch the Bible or the Three Creeds." (b) "On the same

g Ibid., p. 319. *h* Ibid., April 25, 1873, p. 357.
i Ibid., p. 358.

principle formularies, which are the inheritance of the whole Anglican Communion, ought not to be touched, except by a Synod of the whole Anglican Communion." (c) "As regards the *Use* of formularies a distinction must be made. *Some* questions of use affect the actual preservation of the Truth itself. Such, for instance, is the question now unhappily in debate in England respecting the Athanasian Creed. Of right such questions of use ought to be left to a Synod of the whole Catholic Church." But, if that is impossible, "we can place as it were upon our statute book a disclaimer of right to meddle with anything which in itself forms part of the inheritance of the whole Church Catholic or Anglican Communion." "*Other* questions of use, which have not this weighty bearing upon the preservation of the common Faith, but which are related in various ways to the changing condition of each communion from time to time, clearly fall properly within the scope of legislation to be exercised by the synods of each province and diocese. Such, for instance, are the use of a particular Lectionary; or Hymnal; or of such an office as our Scottish Communion Office. Or again, all questions relating to Church Extension, Foreign Missions, Patronage, etc., etc. *I cannot imagine anyone holding that in respect of some of these matters legislation ought to proceed without the consent of the Laity, who are so closely interested in them.*"

(c) "Respecting the third fact, to which I would direct attention, a few words will be sufficient. If, on an examination of *Scripture* and the *History* of the Church, any well-grounded objection on the score of principle could be shewn to lie against entrusting the Laity with any legislative duty, or against summoning them in any way to bear witness to the historical faith of the Church, it is plain that no appearances, however strong; that the Holy Ghost was leading the Church to adopt such measures, ought to be trusted. *But* no one, I imagine, will contend that this is the case." He then briefly reviews the actual Scriptural and Historical evidence, and concludes with an appeal in favour of granting the Lay Claims.

IV. But, as we could not give notices of all the literary productions of the opponents of the Lay Claims, so we must also *omit many of those produced by the defenders.* The Rev. James M'Cann, D.D., Incumbent of S. Paul's, Glasgow, wrote a letter to the "Scottish Guardian"[j] of January 11 supporting the Lay Claims with ridicule of "the Grace of Orders." On January 18th[k] the Editor devoted a leader to a review of the situation. On March 22nd "Vox" wrote a letter[l] demanding that the "Laity should be admitted into Synod with as much power in their own order as the Presbyters have in theirs." On May 16th[m] there was another leading article in the "Scottish Guardian" bringing forward the example of the Church in Australia; and another on May 30th,[n] entitled "Pity the Poor Laity." On June 6th[o] an account was given of the introduction of the Laity into the Diocesan Synod of Guiana; and in the same number F.D.H. gave a sketch[p] of the position in the American Church. On July 25th the "Scottish Guardian"[q] had a long answer to an anti-Lay outburst, which had appeared in the "Church Times," and on August 29 a leader[r] entitled "More Facts and Fallacies." On September 19th Sydney Gedge wrote a letter[s] in favour of Lay Co-operation in Church Work. In the Edinburgh Diocesan Synod Dean Montgomery[t] made a speech on behalf of the Lay Claims, and in that of Aberdeen the learned Dr Grub put in a plea on their behalf,[u] as did also the Rev. A. Webster.

j S.G., 1873, p. 49, Vol. I. *k* Ibid., p. 61., Vol. I. *l* Ibid., p. 255, Vol. I.
m Ibid., p. 417, Vol. I. *n* Ibid., p. 465, Vol. I. *o* Ibid., p. 492, Vol. I.
p Ibid., p. 495, Vol. I. *q* Ibid., p. 64, Vol. II. *r* Ibid., p. 161, Vol. II.
s Ibid., p. 236, Vol. II. *t* Ibid., May 10, p. 401. *u* Ibid., Oct. 31, 1873, p. 355.

CHAPTER XVII.

1873. The Bishops' Scheme and its Fate.

In the foregoing Chapter we have given an outline of the Controversy on the general merits of the Lay Claims, as it was waged in 1873. But it was not that, which was the keenest bone of contention during this exciting year. What brought the matter to a height was *the action taken by the Episcopal College*. We have seen at the end of Chapter XV. that the Bishops had unanimously agreed in November, 1872, to form themselves into a Committee "with a view of considering whether they could agree upon a practical scheme to be recommended to the Church." On March 27th, 1873, the result of their labours in Committee was made public.[v]

I. But, before describing the action of the whole Episcopate, let us pause to deal with the official doings of one of their number. *What were the fortunes of the Bishop of Edinburgh* (Cotterill) with regard to his experimental introduction of Lay Representatives into his Diocesan Synod? The account of its annual meeting for 1873 appears in the "Scottish Guardian" of May 10th and 16th.[w] (a) "The occasion," says that Journal, "was one of unusual interest, the *Laity for the first time receiving, through their representatives* (who were present to the number of 33), *a distinct and definite recognition as constituent members of the Church, and being admitted to an active share in the labours of the Synod*. Probably most persons have felt that the scheme of lay synodsmen propounded by the Bishop of Edinburgh last year and adopted by the Synod, was in many respects a delicate and even hazardous experiment.

[v] Ibid., April 4, 1873, p. 295. [w] Ibid., 1873, pp. 396-404, 434-439., Vol. I.

It proved on Thursday, however, to be eminently *successful*, and we should think it must have fulfilled the most sanguine anticipations of its projectors. It cannot but give fresh confidence to the advocates of the Lay Claims, since it demonstrated beyond dispute the entire feasibility of mixed councils and the signal advantages, which the Clergy cannot fail to derive from the legitimate co-operation of their lay brethren. The Edinburgh Synod has, in truth, established two facts, which have hitherto been questioned by the minority amongst us; first, that if you give the Laity a recognised place in the Church's Councils, they will punctually and conscientiously discharge the duties imposed upon them; second, that they will shew themselves conservative to the last degree, and be no advocates of great or sudden changes. The discussion of the various important subjects brought before the Synod in Committee was conducted in the best spirit and with the most commendable moderation." It is important for us only to chronicle one item of the business:—"*The Rev. D. F. Sandford*—I beg to move: (1) That the Provisional Rules for the election of Synodsmen be accepted by the Synod, but be still considered as merely provisional. (2) That the Synodsmen elected under these rules hold their office until December 31, 1875, or until a General Synod shall pass a Canon." The motion was unanimously agreed to. (b) That was a friend's account of the Synod. Let us hear now *what an opponent had to say*. In his "Charge"[x] on October 2nd the Bishop of Brechin (Forbes) thus expressed himself:—"I shall not be doing wrong if I allude to what took place in the Synod of Edinburgh. I will not touch on the constitution of that Synod, with its system of synodsmen, which, to say the least, strains the existing Canons to the utmost in the direction of change. I would rather dwell upon some of the language used there—language most important from the weight due to the culture and ability of those who uttered it. There, if I recollect right, while we were informed that their rightful place will not be conceded

x S.G., 1873, p. 270, Vol. II.

to the Laity, till they are on equal terms with the Clergy, as constituent members of the Synod, in explanation of the sort of subjects, that would be brought before them, the disuse of the Athanasian Creed was mentioned. Of the foresight and sagacity of him, who used that language, I have the highest opinion, and I am disposed to agree with him that such questions would force themselves on the Synods, and that no checks or guards, though operative for a time, would prevent the intrusion of the Laity into the sanctuary of doctrine."

II. But to come at length to *the scheme proposedy by the Episcopal College* by way of concession to the Lay Claims.

(a) Besides a "Note" there were a few words by way of introduction to this effect:—"At a Conference of the College of Bishops held March 27th, 1873, the Bishops took into consideration the suggestions towards a Canon, 'Of the Government of this Church,' which had been circulated amongst them, and it was agreed that the same should be published with a view to its being brought to the notice of the members of the Church in the Diocesan Synods and otherwise, upon the understanding that no Bishop is hereby held to be committed as to the course upon the general question as well as upon the details, which hereafter he may think right to take or to recommend."

(b) Then follows *the Suggested Canon*.

The first three sections are taken up with reasserting the governing power of the Bishops; the Clerical constitution of the Synods and their sole inherent right of "Declaring and defining matters of faith and doctrine," but providing that "no new Canon, rule, or regulation shall have any binding force in this Church, except with such consent on the part of other members of the Church as is hereinafter provided." Sections 5 and 6 provide that the initiative of legislation belongs to the Bishops, and that "all questions concerning the worship and doctrine shall be considered by the Bishops and Clergy in Synod, before any formal pro-

y Ibid., April 4, 1873, p. 295.

posal shall be made for legislation"; and so we are at last in a position to understand the exact powers proposed to be given to the Laity: —

(7) "The Laity in communion with this Church shall be invited to *send representatives* from their own body, not fewer in number than the Clerical members of the several Synods, and to take such part in the proceedings thereat and consequent thereupon as is hereafter defined.

(8) The Lay Representatives present at a Synod shall have the *right of speaking in the Synod* on all questions discussed, subject to such limitations as by the Rules of the several Synods shall be determined.

(9) *So soon as* the business of any Synod bearing on purely *spiritual matters shall have been concluded . . . the Lay Representatives shall be assumed as a body co-ordinate with the Synod*, and the united body shall be called, for the sake of distinction, the Council of the Diocese, or of the Church, according as the Synod shall be Diocesan or General.

(10) *No question concerning the doctrine* or worship of the Church, or the rules of conduct for the Clergy shall be discussed in the Council, except the same shall have been remitted to it by the Synod. (Right granted, however, of discussing such subject as a *gravamen*, and sending it to the Synod.)

(11) *On any other subject* than one concerning the doctrine or worship of the Church, or the rules of conduct for the clergy, *it shall be competent for any member of the Council to move or second any motion* (etc.).

(12) *The Bishop*, or the majority of Bishops, present shall have the power of determining, without further appeal, *whether any question does or does not concern doctrine, etc.*

(13) No new Canon (etc.) shall be held as passed by the Council, *unless it be accepted by a majority of the Bishops*, and by two-thirds of the Clergy and Lay Representatives respectively (etc.).

(14) *All other rules*, regulations, and resolutions

accepted by a majority of the Council present and voting, *shall be held as passed by the Council*: (three members may demand a vote by Orders).

(15) Every Canon, etc., intended to have binding force in the Church, after it has passed the Council, and received the sanction in writing of the majority of the Bishops there present, or, in the case of a Diocesan Synod, of the Bishop of the Diocese, *shall be promulgated as having been determined by the Synod with the consent of the Laity* of the Church, or of the Diocese, as the case may be."

III. At last, therefore, after prolonged pressure from below, the Bishops had moved. They had actually suggested a scheme of Lay Representation in connection with the Synods of the Church. O long expected hour! *But how was their plan received?* What was its fate, when laid before the Church?

A. By some *it was welcomed*:—

(1) The "Scottish Guardian," voicing the party of moderate reform, received it[z] with joy. "It will be very cordially and *thankfully accepted!*" was its first exclamation and it proceeded thus:—"It seems to concede nearly all that the Laity can fairly claim, while yielding nothing that the hierarchy are anxious to conserve. We should characterise it as bold, yet moderate, as generous, yet prudent. It cannot be said that the privileges of the Clergy are impaired by it. It cannot be said that the rights of the Laity are ignored. It gives the Laity a *veto* in legislation, without which any project of Lay representation would be a delusion. It may be the exclusive privilege of the Clergy to introduce changes, but who will assert that these changes ought to take effect, or can take effect without the concurrence of the Laity? The plan submitted to the Church at the instance of the Bishops is one, which should meet with a generous reception. If adopted with, perhaps, some slight modifications, it will for the first time place at the disposal of the Church of Scotland a really

[z] S.G., April 4, 1873, p. 288.

representative organisation." And in several later articles[a] the same Journal continued its spirited defence of the measure.

(2) But the championship of the cause was not left entirely to the "Scottish Guardian." The scheme also received a *warm welcome in the Diocesan Synod of Edinburgh*. In that assembly *the Bishop* (Cotterill), in his opening address,[b] spoke thus:—"The general question as to lay co-operation, as it is set forth in the Suggestions published by the College of Bishops, expressly with the view of its being brought to the notice of the members of the Church in the Diocesan Synods and otherwise, will demand your very careful consideration. To meet the feelings of those, who would preserve Synods as bodies, that deal with purely spiritual questions, and at the same time to secure that co-operation of the Laity in Church matters, which is so urgently needed, which every year proves that we cannot much longer defer without serious danger or injury, the present scheme has been devised. Its fundamental principle is that, whilst all questions concerning doctrine or worship, or the rules of conduct for the Clergy, shall be first considered by the Bishops and Clergy in their Synods, yet 'no *alteration* shall be made in the laws of this Church, and no new Canon, Rule, or Regulation shall have binding force in this Church, except with such consent on the part of the Laity of the Church, as is therein prescribed.' It is difficult to conceive that any Churchman can object to the principle here stated. In case, however, any should be found to object, the Bishop went on to point out that, "in an unestablished Church, laws can be enforced only through contract and consensus, and concern only those persons, who are associated in the fellowship of the Church." On these grounds, therefore, he commended the Suggestions to the favourable consideration of his Synod.

The Dean (Montgomery, who was the successor of the late Very Rev. E. B. Ramsay) thereupon moved the three following resolutions:—(1) "That this Synod express the

[a] Ibid., April 18, 1873, pp. 329-331; May 16, p. 417; May 30, p. 465.
[b] Ibid., May 10, 1873, p. 397.

thanks of the Clergy and Laity of this Diocese to the College of Bishops for having put forth the paper of Suggestions." (2) "That this Synod earnestly hopes that a basis of unanimous and speedy action in the matter of lay co-operation may be found in the principles set forth in the aforesaid Suggestions." (3) "That the Synod go into committee to discuss the Suggestions in detail, and to consider whether any modifications therein should be suggested to the College of Bishops." This threefold motion he supported in a long speech. Inasmuch, however, as his arguments had reference rather to the lay rights in general than to the episcopal Suggestions in particular, they need not be reproduced in this section. Suffice it to say that, after being seconded by the Rev. V. G. Faithful, Rev. H. D. Simpson, and the Rev. W. Douglas, the three motions were unanimously agreed to without discussion. On considering the provisions of the Suggestions in detail, as a committee, there was a long debate, in which the Laity took a prominent part. It is out of the question to recount the various amendments of detail which were considered, rejected, and accepted by the Committee;[c] but the final result was that, as amended in detail, *the Bishops' "Suggestions" were unanimously adopted*, first by the Committee, and then by the Synod.

B. But, while the *Bishops' Suggestions* were receiving so much influential support, they *were also subjected to much hostile criticism*. And this criticism came from two opposite quarters:—

First, from the camp of the extreme lay advocates. Thus Sir Patrick Keith Murray wrote a letter to the "Scottish Guardian,"[d] in which he complained that the concessions to the Laity, proposed in the "Suggestions," were inadequate. "It will require much stronger reasons," he said, "than any, which have yet appeared, to induce the Scottish Laity to rest contented with a position inferior to that enjoyed by the Laity in other branches of our Communion. Moreover, I cannot but think that it will be prac-

[c] S.G., May 10, 1873, pp. 402-5; May 16, pp. 434-6. [d] Ibid., April 18, 1873, p. 338.

tically impossible to enforce the restrictions proposed to be laid upon the consideration of questions of doctrine, worship, and discipline by the Laity. If, for example, the Laity are to be excluded from the Synod during its preliminary meeting, are they to be kept in attendance for an indefinite period of hours, or possibly days, while the Clergy are debating in Synod; and further, is it probable that Laymen of position and ability will accept the office of Lay Representatives, when the very questions, which most vitally concern the Laity, are withdrawn from their control?"

Secondly, however, opposition came not only from the extreme supporters, but also from the opponents, of the Lay Claims.

(1) "One of Themselves" (that is, of the Laity) filled five and a half pages of the "Scottish Guardian"[e] with a clear and able argument against the Suggestions, the general line of which may be inferred from the following sentence:—"It is manifestly impossible to adduce from the entire range of Church history, a single authenticated instance, in which lay representatives, as a privileged order of men, have either spoken or voted in Diocesan or Provincial Synods." But we may be content with this brief reference to his paper, in order to hasten on to the consideration of the other criticisms, which the "Suggestions" received from the conservative party, for these were of a remarkable kind.

(2) In the case of *St. Andrews*, we may be sure that it was only the Ritual difficulties in which Bishop, Synod, and Cathedral were involved, which prevented the matter receiving attention.

(3) In the Diocesan Synod of *Glasgow*,[f] however, hostility on the part of the Bishop (Wilson) may be inferred from the following brief notice, which is all that is given:—"The Bishop laid upon the table a copy of the Suggestions issued by the Episcopal College, but remarked that, in doing this, he held himself in no way committed to its contents, but free as before in regard to the course he may deem

e Ibid., Aug. 8 and 15, 1873, pp. 106-9, 132-4. f Ibid., Oct. 10, 1873, p. 296.

right to take either as to the general question or its details." There was no discussion on the subject.

(4) And at this point it is necessary to recall the publication of the Pamphlet, "May Laymen have Decisive Votes?" which was considered in A. II. of Chapter XVI. of this work. There we set forth the argument contained in it, but here it is necessary to reflect upon the circumstance that *this uncompromising refutation of the Lay Claims was issued by the authority of three of the Scottish Bishops* (Brechin, Glasgow, and Aberdeen) *immediately after the publication of the conciliatory "Suggestions" by the Episcopal College!* This circumstance alone was more than ominous of the failure of the Suggestions. For not only had Bishop Ewing of Argyll died[g] on May 22nd, and the majority of Bishops in favour of the Suggestions been thus reduced to an equality with their opponents, but it was obvious that, even if Bishop Ewing had not died, and the number of Bishops in favour of the Suggestions had remained at four as against three, who were opposed, yet it would have been impossible to have passed so supremely important a measure into law, when three of the Bishops had publicly declared themselves antagonistic to the proposal embodied in it.

(5) But, as if the publication of that "Case for the Three Bishops" was not sufficient to secure the death of the Suggestions, the *Bishop of Brechin* (Forbes) in his Synod, and the Synod of Aberdeen, with the goodwill of their Bishop (Suther), fell upon the unfortunate proposal of the Episcopal College, and smote it hip and thigh. It is due both to the Bishop of Brechin and to the Diocesan Synod of Aberdeen to record their attacks:—

First, therefore, for that of *the Bishop*. The Charge,[h] of which, so far as it relates to the Lay Claims in general, a notice has already been given in Chapter XVI., §4, concluded with a direct repudiation of the "Suggestions" in particular. After telling his Clergy that he "was quite ready to hear anything their reverences might have to say

[g] Ibid., May 30, 1873, p. 474. [h] S.G., Oct. 3, 1873, p. 269-73.

on the subject," the Bishop continued thus:—"The Suggestions are such as in their present form I could never accede to. Even if I had no fault to find with the principles, which underlie them, they seem *clumsy and unworkable*." He then criticises adversely the first eight Suggestions, and proceeds:—"But the real crucial difficulty emerges at Clause 9, and necessarily affects all the succeeding ones. First of all, I object entirely to the venerable *name of Council* being applied to the mixed body, which it is proposed to form. Secondly, that a mixed body should exist as a convention for the management of the purely secular work of the Church is very desirable. There are many questions of finance and secular administration that are much better in the hands of the Laity, and in the hands of the Diaconate, according to the first intention of that order. The Clergy should be given to prayer and to the ministry of the Word; they should not serve tables, and I cannot help feeling that their presence in the Church Society has not always tended to their souls' good. *But* the mixed body proposed to be established goes farther than this: and it is necessary to consider and confute *the erroneous principle*, which underlies all this confused detail—*viz.*, *that before a Church law passed by the Synod comes into use, it must receive the assent of the Laity, as expressed by the Council* or Convention. Thus the principle, now generally adopted, which governs the laws of civil society, is erroneously applied to spiritual things." Here the Bishop argues at considerable length with a view to showing that this application is indeed erroneous. He also quotes a lengthy passage in his own support from "Field's Book of the Church," Book V., ch. xlix., p. 646, Ed. 1635. He then continues:—"But, *thirdly*, admitting for a moment that this council or conference achieved the position of having the power of assent and dissent to what the Synods determine, *it could in no wise bind the rest of the Church*. We saw that the magistrate or king enforced his commands, not from any inherent power of his own, but as the 'persona multitudinis,' the representative of that body, from which he received his

power. Now I deny that the body of Lay Electors, selected by the communicants of each congregation, however united to any of the Clergy, could become the 'persona ecclesiæ.' To be the persona ecclesiæ, or Parson, has always been in the Church of England a purely clerical and sacerdotal position." *Lastly*, "my parting words to you are beware of *expediency*," and with an argument against that he concluded. One remark,[i] which he let fall in the course of his address showed that his opposition to the Suggestions was irreconcilable. It was to this effect:—"I wish to hold myself entirely free in the direction of future opposition, should I be driven to such a painful necessity: and I wish it to be understood that I do not hereby preclude myself from *taking the necessary legal steps* to protect my own patrimonial rights in the event of a future General Synod doing anything that may injure them." After this, we are not surprised to read:—"There was no discussion on his Lordship's Charge. The Synod soon afterwards separated."

(6) Secondly, a week after the meeting of the *Diocesan Synod* of Brechin, that *of Aberdeen*[j] took place (Oct. 9). Here in opposition to the advocacy of Professor Grub, as described above in this chapter, *the "Suggestions" had to encounter the most strenuous attack. The Bishop* (Suther) in his opening remarks led the way. He said[k]:—"I am constrained, in opposition to some of my Episcopal brethren and of many worthy laymen, who are moving for change, to recommend that this proposed revolution of our ecclesiastical principles be allowed to drop." The report of the debate, which followed, fills ten pages of the "Scottish Guardian." The chief speakers in opposition to the Rev. W. Webster's motion in favour of the Suggestions were the *Rev. John Comper* and the Rev. A. Ranken, both of whom were thoroughly uncompromising in the attitude, which they took up. The speech of the former, not being cast in literary form but partaking of the nature of an extempore effusion, would be difficult to summarize. His

i Ibid., Oct. 3, 1873, p. 271.
j Ibid., Oct. 17, 24, 31, pp. 311, 333, 355. *k* Ibid., p. 311.

final sentence will shew his attitude:—"He hoped they were not prepared to surrender the peace that presently existed in the Church, and (i.e. by accepting the Bishops' 'Suggestions') involve the Church in a terrible conflict—a conflict far more terrible and serious than they could well foresee!"

The *Rev. A. Ranken's* speech fills seven columns of closely printed small type and, being a methodically arranged and very able statement of the conservative case, it would be both possible and profitable to give a full analysis of it. Since, however, it consists of a recapitulation of all the arguments against the Lay Claims in general, Biblical, historical, based on principle and drawn from expediency, springing from development and based on Irish, Colonial and American precedents, it is not necessary to reproduce them here, although of course they were quite to the point in the speaker's mouth inasmuch as he regarded the "Suggestions" as a proposal equivalent to granting the most extreme Lay Claims. It will be enough to give extracts from the introduction and the conclusion of the speech. (1) *He begins thus*[1]:—"My Lord Bishop, until within the last twenty years or so, we lived in happy ignorance of the existence of Lay Claims. About that time the first lay claim in this diocese, timidly and modestly urged, was not so much the right as the privilege of being present at Synods and mutely witnessing our proceedings. After considerable hesitation and demur, the privilege was conceded. As might have been expected, the usual policy, which attends the insertion of *the thin end of the wedge*, was adopted. The privilege of presence was speedily followed up by the claim to speak in Synod on any subject before it with the consent of the Bishop. That also was conceded. And now the wedge is being driven home with persistent energy in the claim—not by your leave and as a privilege, but as a right, of which the Laity have hitherto been defrauded by a jealous and domineering clergy, to sit in Synods both diocesan and

[1] Ibid., 1873, p. 336, Vol. II.

general; to exercise co-ordinate powers in both with the clerical members. *In such a mountain of pretensive power has the molehill of a silent presence in diocesan Synods, timidly put forth twenty years ago, now culminated!*" *He ends as follows*[m]:—"The constitution of this Church would be changed by the introduction of a new element into its legislative and administrative bodies. Now the 28th Canon distinctly provides against this and says it shall not be. Of course I know that a General Synod is, so to speak, omnipotent. It may enact anything short of high treason. It may sweep away both the Church's constitution and the Church's charter with a stroke of the pen. It might vote that it shall cease to be Episcopal. Should it go in for the theory and practice of Development on Ultramontane principles, as it is blandly invited to do, it might decide on joining the Plymouth Brethren, or the Peculiar People, or the newest sect out. It might do so; but this I say that Canon xxviii. was meant to do all, which the Church could do, to preserve inviolate her constitution, which this aggressive movement so perilously threatens; and that its provisions cannot be contravened—as they would be by the admission of a new Synodal element, whether possessing vote or veto—without such a revolution as *the Civil Courts might be moved to prevent*. And of which, if persisted in and carried out with a high hand, the result might possibly be an Alt-Catholic minority opposed tooth and nail to this theory of development thus practically carried out—a minority, which might legally be found to be the real Episcopal Church of Scotland, entitled to claim and hold such temporalities as belong to us. God knows, I say this in no defiant, threatening spirit; it would ill become me to do so; the bare idea of such a state of affairs sickens me; but, should it happen, we, the maintainers of the *status quo*, would not be the responsible party; we are not the innovators and aggressors, and it is well, perhaps, that possible eventualities should be plainly stated!"

When the vote was taken, it was declared amid loud

[m] p. 339.

applause that the motion in favour of the Bishops' "Suggestions" was lost by 11 to 14.

(7) The Diocesan *Synod of Moray and Ross*,[n] which met on October 15th, was presided over by the Dean, in the absence of the Primus, and took up a middle position. Provost Powell, whose views have already been given in chaps. xii. and xvi., spoke at considerable length. The Rev. J. Brodie Innes made a speech against the Lay Claims, and carried a motion to the effect:—"That in the present condition of the Church in Scotland it is not desirable to introduce the Laity to Synods at present composed of Bishops and Clergy." But on the motion of the Provost a second resolution was added to the effect "That the Synod considers it most desirable that committees in connection with the General and Diocesan Synods of the Church should be constituted, which should consist of representatives of the Laity as well as delegates appointed by the Synods with a view to carrying out matters of practical administration and finance,—matters of doctrine and discipline being distinctly excluded from the consideration of these committees." But this could hardly be called acceptance of the Bishops' Suggestions.

(8) The Diocese of *Argyll* was so immersed in the complications of a disputed election to the Bishopric that the Suggestions do not appear to have had any consideration given to them in the Diocesan Synod.[o]

IV. *Upon the whole, therefore, matters stood thus.* Without considering the unofficial attacks on and defences of the "Suggestions," those of an official character were as follow:—*In favour*—it was known that the Primus (Eden), and the Bishop of Edinburgh (Cotterill) wished to see them passed into law; the Bishop of St. Andrews gave a general support to the Lay Claims; and the Synod of Edinburgh was unanimously in favour of the "Suggestions." *Against*—there was no mistake about the opposition of the Bishops of Brechin (Forbes), Glasgow (Wilson), and Aberdeen (Suther); and the Synod of Aberdeen was also in opposition.

n S.G., Oct., 1873, pp. 361-3. *o* S G., 1873, Aug. 8 and Oct. 10, pp. 113, 296.

Neutral—as a matter of fact, there was no discussion on the Suggestions in the Synods of St. Andrews, Argyll, Brechin, and Glasgow, and in that of Moray the trumpet gave rather an uncertain sound. The Bishopric of Argyll was vacant. Opinions, therefore, seemed to be pretty equally divided, but, as pointed out above, the opposition to change was of so influential a character, being actively supported by three Bishops, that it would have been hopelessly bad statesmanship to persevere with the "Suggestions." After the gallant and continuous struggle of the last five years, the champions of the Lay Claims had sustained a definite and heavy defeat. Even the "Scottish Guardian,"[p] in reviewing the year 1873, had to confess that "it is obviously to the disadvantage of the Church to press forward any modification of her government, which does not command the almost unanimous consent of her members; and, as it is evident that a considerable minority of the Clergy, as well as many influential laymen, are conscientiously opposed to the admission of the Lay Claims in their entirety, any further agitation, at least in the meantime, is to be deprecated."

[p] S.G., 1874, Jan. 2, p. 7.

CHAPTER XVIII.

1874. The Edinburgh Congress.

I. The reverse, which they had sustained, naturally caused some *discouragement* amongst the advocates of the Lay Claims. To these feelings of disappointment Major Scott of Gala gave expression in one of the numerous Pamphlets,[q] which he published at this crisis. "The cloud," he wrote, "is darker than ever. The bright prospect is gone, as if it had been meant only to dazzle and to tantalise! The pledges of 1869-70 are openly repudiated. The Laity are pronounced a dangerous class! And what is the cause of all this? So long as the admission of the Laity was a distant prospect, the Clergy were favourable to it; but, when it came close to them and their darling power was threatened, the *esprit* of the class revived. All the noble renunciation of 1869-70 was repented of! For my own part, I have no desire to deal with the Clergy any further upon the matter at present, for there can be no satisfaction in treating with men so utterly regardless of engagements entered upon!"

Efforts, indeed, were made here and there *to keep the old cause alive*. Thus the "Scottish Guardian"[r] exclaimed:—"The subject of Lay Representation cannot be put aside; cannot be hung up, like a rusty sword, in idle mockery. It is continually coming to the front. Attempt to construct an improved system of Home Missions, and you want Lay co-operation. Attempt to prevent your schools from being lost to the Church, and you want Lay co-operation. Attempt to provide for a more adequate supply of trained Clergy, and you want Lay co-operation. Attempt to remedy the defects of your congregational system, and you want Lay co-operation. And you want it in an official and definite form,

[q] The Scot. Ep. Church, The Exclusion of the Laity, No. 1, pp. 3-5.
[r] May 1, 1874, p. 289.

accompanied by that deep sense of responsibility, which an authorised position always brings with it!" And the Rev. D. F. Sandford wrote[s]:—"My view is that the Laity have far too much power already; a power dangerous to the Church and to themselves, because it is neither defined, nor limited, nor controlled in any way." "Let the Laity have their place in Synod. Let the General Synod meet regularly. Let all Church matters be dealt with and ordered by these Synods. At this moment the Church is practically ruled by vestries, and the only power recognised, appealed to, and genuinely effective is the power of the purse!" The example of Canada with its Lay representation in the Provincial Synod was appealed to.[t] A strong counterblast to Bishop Forbes was sent from distant Australia,[u] and a motion was brought forward at the Diocesan Synods of Moray and Edinburgh[v] to the effect that the Laity be admitted to Synods with voting powers.[w]

Moreover, *the Laity maintained such synodical ground as they had already won.* For example, a "Clerk of the Diocese of St. Andrews" pointed out[x] that in that Diocese they "had always more or less reason to be thankful for the respect shown, and encouragement given, to the Bishop and Clergy by their Lay brethren" in the matter of attendance at the Synod, and he goes on to give a list of twenty names of influential Laity, who had attended their last meeting. And Bishop Cotterill's scheme in the Diocesan Synod of Edinburgh went on prosperously. On May 1, 1874, the "Scottish Guardian," commenting upon it, wrote:—"At Edinburgh, without any infringement of the just rights of the Clergy, the representatives of the Laity have their proper place, and under restrictions, of which no moderate man will complain, can, not only speak but, vote. Such has been the case at Edinburgh for two years past, and we would ask the Clergy of that important Diocese if their Synods do not now possess a force and genuineness, which they never possessed before, and whether the effect has not been to

[s] S.G., 1874, June 12, p 344. [t] S.G., 1874, Aug. 14, p. 81.
[u] S.G., 1874, Aug. 21, p. 89. [v] S.G., 1874, April 24, p. 224.
[w] S.G., 1874, Oct. 23 p. 199. [x] S.G., 1874, Oct. 30, p. 216.

draw Clergy and Laity more closely together?" And the example set by the Bishop of Salisbury was telling in the same direction south of the Border.

II. But, after the result of the campaign of 1873, it was impossible for the movement to go on in the same form, as it had formerly assumed. If it were to persist, it must of necessity adapt itself to its altered surroundings. *It was no use any longer hammering at the doors of the Synods*, and therefore the advocates of the Lay Claims must look about for admission to a sphere of influence by another entrance:—

(a) And a very sensible step was taken at this critical juncture. Major Scott's words, quoted above, will have shown that the long controversy of preceding years had created some amount of bitterness of feeling between Clergy and Laity. Whatever form the Lay movement might be destined now to assume, *that* was a state of affairs, which must not be allowed to continue, and therefore *the idea sprang up of bringing the Clergy and Laity together*, if not in Synod, yet at least *in unofficial Congress*. "The convening of a Congress," cried the Laird of Gala,[y] "seems the only course before the Church. We are not ignorant of the dangers attendant upon it, but, in the case of danger, boldness is ever the safest course! The two classes (i.e., Clergy and Laity) will now for the first time meet since 1689,[z] and for the first time the Laity are recognised as forming an integral part of the Church in Congress assembled."

(b) 1. To be sure, *the gallant Major* and others, who first mentioned the idea of a Congress, *had the wrong idea of its nature to begin with*. Major Scott saw in it rather a weapon of war than of peace. His idea was that an annual representative Congress should meet; overshadow the Synods, and, brushing aside the Canons by its resolutions, practically take the management of the Church into its own hands.[a] His words were:—"A Congress, free from the control of what are called the Canons, could deal with the whole concerns of the Church; and all discussions about changes

[y] Pamphlet of February 2, 1874, Aberdeen, A. Brown & Co., p. 3-11.
[z] But compare Chap. I. [a] p. 8.

in doctrines and formularies are most undesirable: the Synods would cease to be of any use; and, instead of Canons, the Congress would enact regulations affecting the whole government of the Church."[b] 2. And even *Mr Mitchell*, who was rendering splendid service at this time, *did not at first disentangle the true notion of a Congress*. Though he did not propose that it should supersede the Synods and its resolutions over-rule the Canons, he still dreamt of a Congress of the whole Church, meeting without canonical sanction and dealing with finance in a manner, which would, to say the least, have rendered it a most formidable rival to the Canonical Church Society.[c] "If," he said,[d] "we had a General Synod sitting annually, with lay representatives as constituent members, there would be no occasion for the less regular expedient of a Church Congress; but that, in the meantime, is all that the Church is ripe for; and it possesses the advantage of keeping the administrative work of the Church in its more secular interests apart from its legislative action. I would suggest that, while two days might be spent in the discussion of the many questions affecting the more sacred work of the Church, one day should be devoted to receiving and discussing the reports of four separate committees of general finance connected with the Sustentation, Home and Foreign Missions, and Education. On this day any questions that might arise should be settled by the votes of the Bishops and Representatives."

(c) But, though both Major Scott's and Mr Mitchell's conception of what a Congress ought to be rather overshot the mark, yet the notion having once been mooted, it was seen that *a Congress pure and simple*; a Congress, which should aim at superseding neither the General Synod in legislation nor the Church Society in finance, and which should not necessarily be bound to meet more than once, *was the need of the moment*. A Congress, at which Clergy and Laity could meet in a representative manner and discuss the affairs of the Church in a non-official but friendly spirit, would afford such an opportunity, as nothing else

[b] The Scottish Congress, p. 8.
[c] S.G., 1874, June 5, p. 320. [d] Nov. 20, p. 248.

would, of calming ruffled feelings and restoring mutual respect.

(d) To cut a long story short, *such a Congress was held* in the Free Masons' Hall, Edinburgh, under the presidency of the Bishop of the Diocese, lasting from the evening of May 18th, 1874, to May 21st. The report of the meeting, consisting as it does of an 8vo. volume of 298 pages,[e] is too long to be summarised here. It appeared at full length in successive numbers[f] of the "Scottish Guardian," and was there accompanied by many columns of "Impressions" and Leading Articles.[g] From these we will only extract the following:—"The first Congress of the Episcopal Church in Scotland has, it must be admitted, more than fulfilled the expectations of the most sanguine. Not only were the morning and afternoon meetings very largely attended—fully 600 members' tickets having been disposed of—but the evening meetings in the Music Hall also attracted numerous and interested audiences. Throughout, the utmost cordiality and good feeling have prevailed."[h] "It has drawn together a considerable body of Clergy and Laity, who have hitherto had no opportunity of exhibiting their mutual interest in the welfare of the Church. It has given occasion for an interchange of kindly offices, kindly words, and kindly sentiments."[i] It is only just to record the names of those, by whose exertions this desirable and useful result was brought about. On this point the "Scottish Guardian" adds:—"Much of the success of the Congress is due to the admirable preparations made by the executive committee; to the tact and inexhaustible energy of Mr Rollo; and to the courtesy of the officials, Messrs Mitchell, Haldane, and Coventry; the Dean of Edinburgh, Provost Cazenove, and the Revs. J. A. Sellar and J. M. Cotterill. But perhaps still more is due to the interest taken in every stage of the movement by the Bishop of Edinburgh, and the firm but conciliatory manner in which he presided over the actual gatherings."

e J. & J. Gray, Edinburgh. *f* From May 2 to September 26.
g S.G., 1874, May 15, p. 261; May 22, p. 285-6, 290-1; May 29, p. 298-300.
h S.G., 1874, May 2, p. 291. *i* S.G., 1874, May 22, p. 285.

CHAPTER XIX.

1875. The Financial Conference.

I. Although the defeat in 1873 of the agitation in favour of the Laity had stirred up some feeling between the parties of conservatism and of progress, yet the Congress of 1874 showed that the two sections of Churchmen were determined not to be drawn into permanent hostility. They had there met on a common, though temporary, platform, and had discussed matters of importance for several days with the utmost friendliness. Though each might think that the other had taken a wrong line in the late controversy, yet each recognised that at any rate the intentions of the other had been sound in favour of the welfare of the Church. And *thus there was good ground, on which to base further efforts to solve the problem*, on which such divergent views had been held and expressed. Although, therefore, the policy of knocking at the doors of the Synods was abandoned, yet the determination to do something permanent to strengthen the influence of the Laity remained.

II. Now it so happened that at this time there was a widespread conviction that the *financial affairs of the Church stood in need of thorough reformation*. And it was in this direction that the party in favour of the Lay Claims made their next important move:—

(But, before going on to give some account of it, the opportunity may be here taken to state that, if an attempt were to be made in these pages to give a full narrative of the revolution in the Church's financial organization, which now took place; if we were to try to sketch the previous finance of the Church, from 1689 to 1792; from 1792 to the establishment of the Church Society in 1838 and from 1838 to the year, with which we are now dealing; nay, if we were

to do no more than give notices of all the financial articles, letters and speeches, which appeared in the *Scottish Guardian* at the present crisis (1873-6), this volume would be swollen to an unmanageable bulk. And therefore we here express our opinion that that section of the Church's work, namely Finance, in which no one disputes the admissibility of the Lay Claims, is so extensive and important that it would best be dealt with in a separate volume by itself, and we give notice that we shall here only select so much out of the pages of the *Scottish Guardian* as shall seem sufficient to give a general outline of what took place.)

To return therefore to our story :—

(1) In a paper,[j] read at the Congress, Mr Mitchell thus described the *origin of the existing financial organisation of the Church*:—"I cannot, he said, give a better explanation than by quoting the words lately used by our Primus with reference to Dean Ramsay: 'At a time, when the incomes of many of our Clergy, and especially those in the Highlands, were really such as I should be ashamed to mention in the present day; when they really lived, or existed rather, on incomes not much beyond what the ploughmen and the labourers were living upon, Dean Ramsay, feeling for them, proposed that a Society should be established in connection with our Church, through which those poorer Clergy should receive that, which should enable them to live as clergymen and gentlemen.' And (added Mr Mitchell) the *Scottish Episcopal Church Society* thus established 35 years ago is still the only corporate, financial organisation of the Church."

(2) As for its *constitution*: -"Every Churchman," he said on another occasion,[k] "contributing £10 in one sum, or 10s annually, is a constituent *member* of the Society. Its capital is invested in Trustees, and its affairs are administered by committees, whose duties and mode of appointment are as follow:—(a) *The General Committee*—This Committee is virtually the whole Society; twelve members are a quorum,

j S.G., 1874, June 5, p. 318. *k* S.G., 1873, Feb. 22, p. 169.

and it meets annually, etc. (b) *The Executive Committee*—To this Committee is entrusted the general management of the business of the Society, etc. (c) *The Committee on Claims*—meets two days before the annual meeting of the General Committee to consider all claims upon the Funds. (d) *The Committee on Funds*—directs the Society's investments, etc. (e) *Modifications* were made in the Society's system in 1864 and in 1871." In 1864, "it[l] was proposed that the administration of the Church Society should be transferred to the newly-created Lay Representatives, the Bishops, and a representative body of the Clergy, sitting annually as a Council of the Church"; and numerous other suggestions were made for the bettering of the Society's machinery, but all were put aside and only one reform adopted, i.e., "the introduction of *Congregational Finance Committees*," for the collection of Funds. And "in 1871, with the approval of Dean Ramsay, the Church Society adopted an important principle: I refer to the *Equal Dividend*."[m]

Such was the *Scottish Episcopal Church Society* as recognised by the 42nd Canon.

(3) But wide-spread *dissatisfaction* was being everywhere expressed with regard to it. On October 1, 1875,[n] the "Scottish Guardian" spoke thus:—"We have admitted that the Church Society has been of service to the Church, and yet we are not sure that the good it has effected in one direction is not counterbalanced by the evil it has done in another." The same Journal had used even stronger language on an earlier occasion[o]:—"We rank ourselves with the New Lights, inasmuch as we conceive the present financial system of the Church to be hopelessly and incurably inefficient." And Mr Louson Walker remarked:—"The results since the adoption of the new scheme, although by no means insignificant, are still very far short of what ought to be accomplished."

l S.G., 1873, May 8, p. 211.
m S.G., 1874, June 5, p. 319. *n* S.G., 1875, vol. II., p. 163.
o S.G., 1875, Feb. 5, p. 70.

(4) Some of the *grounds of dissatisfaction* we will now try to set forth:—

(a) For one thing, the money, which it actually raised, was miserably insufficient for the clamant needs of the Church. "*The lack of proper financial support*," said the Rev. W. E. Chapman before the Congress,[p] "is crippling the Church's usefulness, and apparently, for the present at least, rendering hopeless all expectations of her vigorous extension!" "The total number of subscribers," said Mr Mitchell,[p] "out of the 55,150 members[r] of the Church was 6437, being less than one subscriber for every eight members. The subscriptions being in all £4101. The total income of the Society (excluding the interest of its capital) was in 1873 £6737, contributed by means of offertories and subscriptions for Sustentation, Education, and Missions." "This Church Society," asked the "Scottish Guardian,"[s] "what does it do for us? It doles out, under annoying restrictions, a paltry sum of £25 each to a body of long-suffering Clergy, whose average income does not amount to £150!"

(b) Another grievance was the *excessive cost of management*. Rev. E. W. Chapman admitted before the Congress[t] the justice of "the plea, which has so often been urged in justification of local shortcomings, that the amount remitted suffered at head-quarters so serious a diminution that the relief gained was in no true proportion to the sums raised." And what was the proportion absorbed in working expenses? "Sixteen per cent.!"

(c) A third grievance was that, when the Clergy did get their grant of £25 they got it, not so much as honourable payment for work done, as in the form of a charitable dole. "The traditions of the Church Society," said Mr Mitchell,[u] "are those of an *eleemosynary* Society, whereas contributions towards the equal dividend must be regarded, not as charity, but as a debt to the Church, which every member is bound to discharge."

p S.G., 1874, June 5, p. 318.
r "Members" does not mean Communicant Members but Baptized Members.
s S,G., 1875, Oct. 1, p. 162. *t* S G., 1874, June 5, p. 317.
u S.G., 1873. March 8, p. 212.

(d) A fourth grievance was the fact that the engraftment of the equal dividend system in 1871 upon the eleemosynary nature of the Society's former schemes, was *illogical and confusing*. "We hold," said the "Scottish Guardian,"[v] "that the Church Society, as it at present exists, is an absolute contravention of the Canon, under which it was originally founded. Instituted specially for the relief of necessitous congregations, it has gradually developed into a general sustentation fund. We object to the perpetuation of so signal an example of defiance of solemn Canonical authority!"

(e) The last grievance, which we shall mention, was probably the cause of most of those already mentioned, i.e., its *non-representative character*. "We repeat," said the "Scottish Guardian,"[w] "what we have said on former occasions, that the Church Society, as at present constituted, does not represent the Church. It is simply a body of subscribers of various amounts, who have no direct control over the distribution of the funds, to which they contribute; this distribution being in the hands of an Executive, whom they do not elect! There never was such a mysterious Society as the Church Society, and there never will be again!"

If it should appear that we have dwelt on the deficiencies of the Church Society, rather than on its virtues, let it be remembered that we have declined the task of writing a complete History of Scottish Episcopal Finance, and are confining ourselves to a History of the Lay Claims, as in the main apart from that important section of their sphere, which deals with money. And let it be further remembered that it was, not the virtues of the Church Society, but its deficiencies, which now set the direction, in which the Lay Claims should flow.

III. Having thus enumerated the complaints, which were being made against the financial organisation of the Church, we naturally pass on to indicate the *remedies suggested*. And yet we must not be understood as intending to set forth those suggested remedies, which were purely finan-

[v] S.G., 1875, Jan. 15, p. 26. [w] S.G., 1875, Feb. 5, p. 70.

cial in their nature. Our aim is rather to recount the fortunes of those proposals only, which formed a constitutional vent for the satisfaction of the Lay Claims:—

(1) The foregoing chapters (XI. to XVII.) have shown that, following upon the transient lull, which occurred in the Lay controversy, immediately after the General Synod of 1863, that controversy, on being revived, was vigorously pushed (up to the end of 1873) in the form of a demand that the Laity should be admitted to the Synods. And so fierce was the contest that suggestions of any other character were disregarded. (a) Nevertheless, as Mr Mitchell pointed out,[x] the pro-Lay party had been invited to put their demands into another shape, so long ago as 1860. *The proposal had been then advocated that the Lay Representatives*, just created by the General Synod, *should have the duty*, not only of voting in the election of the Bishops, but also, in conjunction with the Clergy, *of managing the finances of the Church*. In Mr Mitchell's words:—"It was proposed that the administration of the Church Society should be transferred to them; the Bishops and a representative body of the Clergy, sitting annually as a Council of the Church." (b) At that time, however, "The old system of committees and grants was continued under additional complications, and the principle of *Lay representation was ignored!*" (c) When the fight round the Synod doors was at its hottest, i.e., in March, 1873, *Mr Mitchell renewed the idea*:—"As regards Lay representation," he said,[y] "I venture to submit that the present necessities of the Church would be met by making provision for the assembling annually of a Lay representative from each congregation in the Church, meeting the Bishops and such representatives of the Clergy, as are convened in General Synod, and that for the present such assembly or Council would possess sufficient legislative power, if entrusted with the administration of the general finances of the Church." "The General Synod should enact a short and simple Canon, directing that *the collection and administration of funds* for the general

x S.G., 1873, March 8, p. 211. *y* S.G., 1873, March 8, p. 212.

support of the Bishops and Clergy *should be committed to a Representative Council of the Church, consisting of the Bishops and such of the Clergy*, as are convened in General Synod, *and one Lay representative* elected by each congregation; such Council assembling annually, either in Edinburgh under the presidency of the Primus, or in each of the dioceses in succession under the presidency of the Bishop of such diocese; with power to the Council to appoint Committees and make regulations for accomplishing its objects: to organise and direct the operations of congregational finance committees: to raise funds for the support of Home and Foreign Missions and Religious Education: to collect and publish accurate statistics of the Church: and generally to consider and discuss, with the aid of members of the Church (to all of whom its meetings should be open), all matters affecting the general interests of the Church."

(2) Such was Mr Mitchell's proposal.[z] Needless to say that it *created the widest and deepest interest*, for it not only promised a thorough reformation of the financial schemes of the Church, but did so in a way which, on the one hand, held out bright hopes before the advocates of the Lay Claims. A Representative Church Council of Bishops, Clergy, and Laity meeting annually and having the entire control of the corporate finance of the Church was entirely to their mind. And, on the other hand, it was a scheme, which did not rouse the opposition of those, who believed that it would have involved a breach with Catholic Antiquity to have the Laity sitting and voting in the Diocesan and General Synods.

(3) Of course, rival schemes of reform entered the lists to contend with that of Mr Mitchell, but it may be convenient, before saying anything about them, to mention certain *modifications in Mr Mitchell's policy*, which resulted from the prolific controversy, following upon its publication:—

(a) It will have been noticed that the last words in Mr Mitchell's proposed Canon implied that his suggested Repre-

[z] For Mr Mitchell's scheme, as issued by Bishop of Edinburgh's Committee, see S.G., 1875, Sept. 24, p. 153.

sentative Council of the Church was to meet in connection with a General Congress of the whole Church. The "Scottish Guardian"[a] criticised the idea thus:—"*We should object to the proposal that our Church Congress should be converted into an executive body.* We certainly hope to see the Congress become an annual institution; but we also hope that it will be strictly confined to purposes of discussion, criticism, and inter-communication." Mr Mitchell made some show of fight for Council *plus* Congress, but the "Scottish Guardian" expressed the prevailing opinion upon this point. The creation of a Representative Council all by itself promised sufficient work for the reformers.

(b) Although Mr Mitchell at the first contemplated his Representative Council as receiving Canonical authority, yet he changed his opinion. On Christmas Day, 1874,[b] he wrote:—"The question is—Do the Laity require, as a preliminary to their discharging a duty so obvious and simple, the sanction of Canonical authority? My answer, after reflection, is—Very much the reverse. My firm belief is that the Canonical authority possessed by the Church Society has latterly been a barrier rather than a help to the laity in the discharge of their duty. Surely the prudent course is *not to tie ourselves down by another Canon* before we have fully realized our necessities or our powers. Give free action, I say, to the Laity." With this the Rev. D. F. Sandford did not agree. He wrote[c]:—"The Representative body which Mr Mitchell seeks to create will have no adequate power or authority without canonical sanction; nor will it possess that element of permanence, which is necessary to its real utility as an institution of our Church." With this Mr George Auldjo Jamieson agreed. This gentleman's "Proposal,"[d] said the "Scottish Guardian,"[e] "takes a General Synod for its starting point; a Canon for its foundation." And this was the view which received the greater support.

a S.G., 1874, Jan. 23, p. 54. *b* S G., 1874, Dec. 25, p. 316.
c S.G., 1874, Dec. 18, p. 302.
d For a full exposition of Mr Jamieson's scheme, see S.G., 1875, Sept. 24, p. 154.
e S.G., 1875, Sept. 24, p. 149.

(c) Another question connected with Mr Mitchell's scheme was this:—*What was to become of the old Church Society under it?* The Rev. E. W. Chapman,[f] while engaged in hostile criticism of the scheme, makes the answer plain:—"Mr Mitchell, he says, "would restrict the Society to its original dimensions, as a charitable organization under Canon XLII., directed solely to the objects named in the terms of that Canon. But those main operations, which I have referred to above, i.e., Sustentation, Schools, Home Missions, together with others of primary value, such as Foreign Missions, these, I say, he would unreservedly place in the hands of a body, truly representative of the Church."

IV. Let the above suffice for a description of Mr Mitchell's scheme and as a slight indication of the voluminous criticism, to which it was subjected by friends, many of them as able and active as himself. But there were not only critics more or less friendly, but also store of *rivals and hostile critics*:—

(a) As for the *hostile critics*, let us confine ourselves to the Rev. E. W. Chapman.[g] "My main objection to Mr Mitchell's scheme is this: *I do not believe in the possibility of convoking any such assembly*, as he proposes. Having gained by experience a tolerably minute knowledge of the actual condition of two Dioceses, and having the same general knowledge that all must have, I really do not believe that you would obtain the election of lay delegates in more than one-third of our Congregations." Further experience was destined to make Mr Chapman change his opinion on this point.

(b) And then as to *rival schemes*:—Each of the following elaborated one, at the cost of much pains and time, i.e., Rev. E. W. Chapman;[h] Rev. Alexander Leslie and Mr William Dunn (in collaboration);[h] Mr Ramsay;[i] a Committee appointed by the Bishop of Brechin.[i] We shall not, however, go further into them than to state that they were all, more or less, *simply designs for improving and preserv-*

[f] S.G., 1375, Feb. 12, p. 94.
[g] S.G., 1875, Feb. 12, o. 94. [h] S.G., 1874. Jan. 23, p. 47-50.
[i] S.G., 1875, Sept. 24, p. 149-156

ing the old Church Society. Perhaps the following sentence from the Bishop of S. Andrew's Charge for 1875[j] gives the spirit of them as well as anything else:—"For myself I must candidly confess that I feel very little competent to offer any opinion upon questions of this kind; but, so far as I am able to judge, I should be inclined to recommend an advance upon the lines, which we already occupy, rather than an entire departure from them in quest of some new and untried scheme." "Let this be done through the operation of our canonically sanctioned and now time-honoured instrument the Church Society; but of the Church Society reorganized and re-invigorated." Of Mr Leslie's, Mr Ramsay's, and Mr Chapman's schemes the "Scottish Guardian"[k] said:—None of them "provides for a definite and final organization of our Church finance. It is the old system patched up and made to look like new" and the Bishop of Brechin's Committee's proposal contained this provision:—"All male members of the Church over 21 years of age to be members of the *Church Society*."[l]

(c) Such were the remedial schemes, which the controversy, caused by the dissatisfaction felt with the Church Society, produced for the betterment of finance from 1873 to 1875. It may here be added by way of post-script that not only all of those, whose names have been already mentioned contributed in some way or other to the discussion in the pages of the "Scottish Guardian, but *Letters to the Editor* appeared also from the Very Rev. Dean Wilson of Fyvie; the Very Rev. Provost Burton, Perth; the Right Rev. the Bishop of Argyle (Mackarness); the Revs. G. H. Forbes, Burntisland and Gascoigne Weldon, Rothesay, and from Sir Donald Campbell, Dunstaffnage; T. Bruce, Esq. of Arnot; Hugh Scott, Esq. of Gala; R. T. N. Speir, Esq. of Culdees, and not a few writers, who assumed *noms de plume*.

V. So now, having considered the complaints against the existing financial regime and the remedies suggested, we

j S G., 1875, Oct. *8*, p. 183.
k S.G., 1874, Jan. 25, p. 53, and 1875, Sept. 17, p 136.
l S.G., 1875, Sept. 24, p. 154.

must pass on to relate the *official steps*, which were taken to meet the situation:—

(a) Before doing so, however, there is one event to which we may allude, although its bearing on the subject of this section is indirect. We refer to the *death of Bishop Forbes*, which, to the Church's great loss, took place suddenly in Dundee on October 8, 1875.[m] It was due to this distinguished Prelate, as much as to any one individual, that the Laity failed to secure a position in the Church's Synods in the campaign of 1864-73. It is to be noted that he did not come forward to oppose the proposed formation of a Representative Council of the Church for Finance, before he died.

(b) A Conference of Bishops, held in Edinburgh on April 1, 1875, "resolved that it is desirable, in the first instance, *a preliminary Conference* be held, in order to consider what steps should be taken so as to secure the general confidence and co-operation of the members of the Church in any action bearing on this question."[n] This preliminary Conference accordingly assembled on May 18th, consisting of the Bishops of Moray (Primus); Edinburgh (Cotterill); Aberdeen (Suther); Glasgow (Wilson); and Argyll (Mackarness); the Deans; Synod Clerks; Chancellors; and Diocesan Registrars and Auditors.

(c) After considerable discussion, *the meeting agreed* all but unanimously that *a Conference should be held in Edinburgh* on Wednesday, October 20th, at 10.30 a.m. After further discussion, it was resolved that the voting members of the Conference should be:—(1) Every voting member of the Diocesan Synods. (2) A Representative for each Congregation; if possible, a member of that Congregation. (3) That, in addition, every Diocesan Association may appoint representative laymen, one for every complete number of five congregations in the Diocese. (4) All the Diocesan Officials. That their names may be remembered "for their works' sake," we give those of the Executive Committee, as follows: Bishop of Edinburgh (Chairman); James Haldane,

m S.G., 1875, October 15, pp. 190-4. October 22, pp. 220-3.
n S.G., 1875, May 21, p. 272

Esq. (Hon. Sec.); W. S. Walker, Esq. of Bowland; G. Auldjo Jamieson, Esq.; W. Mitchell, Esq.; Sheriff Guthrie Smith; the Dean of Edinburgh (Montgomery); W. Shepherd, Esq., Dundee; and Dr Bruce Bremner.

(d) The "Scottish Guardian" was exultant. It devoted a leading article on October 8, 1875, to *The Opportunity*, from which we quote the following:—"It is said that every man has his opportunity—his opportunity of making or marring his future life; of recovering lost ground or striking out into new and safer paths—and it is said, too, that this opportunity, once neglected or put aside, never returns. Is it too much to say that for the Episcopal Church of Scotland this critical epoch of decision and resolve has at length arrived? Is it an exaggeration to affirm that her opportunity has come, which, if it pass away unimproved, may never come again?" "The Opportunity, of which we speak, is offered by the approaching Conference. But something more is expected from the Conference than simply oiling or adjusting our machinery for raising money. We expect from it a thoughtful and statesmanlike plan of Congregational Representation; and in that plan, properly worked, the Church will find a remedy for most of the ills that we have noted. For Congregational Representation means unity, concord, and order, instead of division, variance, and confusion!"

(e) At last the day, fraught with such influence for good or evil to the fortunes of the Church, and to which the wisest friends of the Church had so long looked forward with such hope, dawned. "*The Church Finance Conference assembled* in the large room of the Freemasons' Hall, Edinburgh, on Wednesday last, October 20." So ran the report in the "Scottish Guardian."[o] "The Primus presided," it goes on, "assisted by the Bishops of Edinburgh, Glasgow, and Argyll. The attendance was very large, especially of the Laity; and probably at different times between 250 and 300 members were present. No stronger or better proof

o S.G., 1875, Oct 22 and 29, pp. 208-18, 230-42.

could be desired of the interest, which is gradually being awakened in the work and prospects of the Church."

(f) Then follows a full report of the speeches and debates, but, as it extends to about four thousand lines of small print, we shall content ourselves with stating *the result* in the words of the "Scottish Guardian"[p] itself. "By a sweeping majority," it exclaims, "of 155 to 47, *the Church Conference has decided in favour of the creation of a Representative Body* as the proper authority for administering the finances of the Church in its corporate capacity."

(g) "We do not affect to conceal our gratification at a result, which, we believe, will ultimately prove of the highest advantage to the Church." And again[q]:—"There can be no doubt that *the Conference was a success*—a success as regarded the attendance of representatives; a success as regarded the spirit, in which its proceedings were conducted; and a success, on the whole, as regarded the results, at which it arrived. The Church might well be proud of such a body of Churchmen, and of the intelligence and enthusiasm, with which they addressed themselves to the discharge of their onerous duties!" "One clear issue has been unmistakably decided by the Conference. The *Church Society* no longer obstructs the way, and the Church, through her proper representatives, assumes henceforth the management of her finances and the general supervision of her various branches of work!" "The creation of a Representative Body, if it do nothing else, substitutes order for disorder!"

p S.G., 1875, October 22, p. 207. *q* S.G., 1875, Oct. 29, p. 226.

CHAPTER XX.

The Adjourned Conference in Edinburgh, 1875-6.

I. At this point it becomes necessary to make clear exactly how far the Conference had, and how far it had not, gone:—

(a) We have seen in the last chapter *how far it had gone*, and Sir Donald Campbell sums up its finding in the following words[r]:—"Finally, the motion, carried by 155 to 47, after the declaration in specific terms by its proposer that it should still be open to the Conference to adopt Mr Jamieson's proposed constitution, *only stated* that, "in the opinion of this Conference, the Church, having outgrown the system enacted by Canon xlii., it is expedient *that a Representative Body of the Church should be formed* to undertake the charge of the finances of the Church in its corporate capacity." And, as the course of this "History" has made very plain, the carrying of that motion was a great and happy event for the Church. Well might the "Scottish Guardian"[s] exclaim in view of it:—"We have long been anticipating this golden time! It was to have begun, we think, in 1870; and then in 1872 or 1873, we forget which. . . . But (now) the despondent will grow sanguine, and the depressed will raise their heads!"

(b) But then, beyond that, the Conference had not gone. *It had not framed a Constitution* for the proposed Representative Body. This point Sir Donald Campbell brings out[t] by recalling that:—"The Bishop of Edinburgh, in moving the only resolution, which was discussed on the first day, said, 'The motion therefore does not involve . . . how the Representative Body shall be constituted, whether as

r S.G., 1876, vol. i., p. 162. s S.G., 1876, vol. i., p. 162.
t S.G., 1876, vol. i.,p . 162.

proposed by Mr Mitchell or by Mr Jamieson. Mr Mitchell, in seconding it, said, "The remedy we propose is the formation of a Representative Body of the Church for the general administration of its whole corporate finances.' It is unnecessary now to go into the Constitution of the Representative Body."

Although, however, before the passing of the fateful resolution, it was unnecessary to go into the matter of the Constitution, yet, as soon as ever it had been determined that a Representative Body was desirable, *the nature of its Constitution* became the burning question of the day.

II. Now, it is obvious that, the moment the Church was asked this question, "What is the Constitution of our new Representative Body to be?" controversy was bound to arise. Some were sure to have one opinion and some another. Some, for instance, who had opposed the creation of such a Council altogether, might exert themselves to reduce its representative character to a minimum; and, of the others, who sincerely wished for a Representative Body, some might think it was to be attained in this, and others in that, way. And *a controversy accordingly there was*, the course of which we shall now trace:—

(a) The Conference itself had taken a certain line on the second day of its meeting, which Sir Donald Campbell thus describes[u]:—"And then the Conference adjourned till next day, when the Bishop of Edinburgh moved that it go into Committee, with the full understanding that any of the proposed schemes of Constitution might be adopted." (1) Ere long *a Committee was appointed to draw up a draft plan*, which was to be presented to an adjourned meeting of the Conference. (2) Hereupon, "Dr Grub[u] said that it would be against the rule of our Church if we appointed a financial body, which was only congregational; he begged to move that it be *an instruction that the principle of representation in the new body be diocesan as well as congregational*. This was seconded by the Primus, and carried by 124 to 3. Then Mr Jamieson proceeded to move the first paragraph of his

[u] S.G., 1876, vol. i., p. 163.

proposed Constitution, i.e., that for the formation of Diocesan Boards, which was carried by 86 to 65."

(b) But the following quotation from the "Scottish Guardian"[v] will shew that the Conference was not altogether happy about the course, which itself was taking, on the second day:—"Much was said, which was confused and contradictory; more, which was wild and revolutionary. Somehow or other, 'a change passed o'er the spirit of their dream'; and, when once the principle of a Representative Body had been carried, they seemed, like a ship torn from her moorings, to plunge to and fro in a whirl of counter-currents."

(c) And at once the editor[w] began to give voice to the discontent, which was simmering. *The danger*, of which he was afraid, was this:—lest *an exaggerated diocesanism* should be allowed to nullify the influence of the proposed central and Representative Body. This would certainly be the case, if Diocesan Boards (not mere local branches of the Representative Council, but elected on an independent basis) were to be set up and entrusted with the duty of choosing the majority of delegates to the central body. "Even Mr Jamieson himself, with his ingenious scheme of Diocesan Boards, must admit that the General Board will be only an elegant nullity, if this principle of diocesanism be accepted by the Church. It was openly contended that the central body had neither the right nor the power to set aside the conclusions of a Diocesan Board! If so, what is the use of a General Board at all? What is the use of the Episcopal Church in its corporate capacity?" "*We protest* with all due deference *against* the sentiment, which was almost the only thing, that rose prominently to the surface of an involved and perplexed discussion, and, most unfortunately, received the endorsement of the Bishop of St. Andrews,—we mean, *the sentiment of Diocesan Independence*."

(c) On April 20th, 1876, the controversy received a new impetus, for on that day the Committee appointed by the

v S.G., 1875, vol, ii., p. 242. *w* S.G., 1875, vol, ii., p. 242.

Conference published its *Report*. Sections 3 and 17 of its draft Constitution[x] bear upon the point, with which we are dealing:—

3. "The Council shall consist of the Bishops; the Deans; representatives of the Clergy, elected in the same manner as for a General Synod, but in the proportion of one for every seven voting members of the Synod; the Chancellors, Auditors, and Registrars of the Dioceses, and the Officer of each Diocesan Board; Lay Representatives, elected by each Diocese in the proportion of two representatives to each clerical member sent up by the Diocese; and also a Lay Representative of each Incumbency in the Diocese, elected by the congregation; but, if any incumbency shall report to the Diocesan Board its inability to send such a representative, then the Diocese shall have power to elect a Lay Representative in room of such representative. The Clerical and Lay Representatives shall be elected annually, and shall be eligible for re-election.

17. In each Diocese there shall be a Diocesan Board of Finance, which shall consist of the Bishop and all Clergy instituted or licensed in the Diocese, and of Lay Representatives elected annually by congregations (each congregation having the option of electing either one or two representatives), and of the Chancellor, Auditor, and Registrar of the Diocese."

(d) The "Scottish Guardian's" exclamation, on being confronted with the above, was:—"We[y] own to a feeling of *bitter disappointment!*" And that, for several reasons:—

Firstly:—"Complexity[z] instead of simplicity!" "Intricacy[a] confuses and involves the whole affair!" "In every Congregation we are henceforth to have—(1) The Canonical Lay; (2) The Congregational Lay; (3) The Diocesan Lay; and (4) The Diocesan Congregational Lay. Then in those congregations, which may be called upon to make up the deficiencies of the impracticable congregations, there will be the (5) Extraneous, or Alien, or Deputy, Lay; and in such

x S.G., 1876, February 4, p. 55.
y S.G., 1876, February 18, p. 81.
z March 10, p. 117. a March 10, p. 117.

a case the dramatic effect would seem to be complete! Now, observe the various duties of these gentlemen:—No. (1) elects the Bishop; No. (2) represents the Congregation on the Representative Body; No. (3) represents the Congregation on the Diocesan Board; No. (4) represents the mysterious entity of the Diocese; No. (5) represents some destitute congregation, 'Remote, unfriended, melancholy, slow!' This is no *reductio ad absurdum* for the sake of ridicule, but a serious reality. We dare not contemplate the state of mind of some of us, if the Report should be adopted!"

Secondly [b]:—"Some weeks ago we announced on good authority that in the new Constitution the principle of Congregational Representation, which the Church had so cordially accepted, would obtain recognition. And there, to be sure, it is (i.e., in the Committee's Report); but the recognition accorded to it is such as a rich man gives to a poor neighbour. It is insinuated rather than asserted. How shall we account for the *preponderance of Diocesan Representation?* Will the Church accept anything so palpably absurd? Diocesanism has surely infatuated the Committee!"

Thirdly [c]:—"Our next objection applies to the ungracious *narrowness of the clerical representation.* One of the strong arguments used in favour of the creation of a Representative Body was, that it would bring Clergy and Laity together on a common platform and associate them in the practical details of Church work. How rudely is this dream dispelled! The Committee restrict us to about 30 in all! Why, when we have gathered together our (a) official lay representatives; (b) our diocesan Lay Representatives; and (c) our congregational Lay Representatives, where will be our unfortunate, clerical thirty? *Rari apparent nantes in gurgite vasto!*"

(e) Such were the objections to the Committee's draft Constitution, and various correspondents suggested *rival schemes.* These [d] were designed in one way or another to embody the principle of direct, congregational, as against

b S.G., 1876, February 18, p. 82. *c* S.G., 1876, vol. i., p. 81.
d S.G., 1876, vol. 1, pp.10, 119, 142, 157, 181.

diocesan, representation. And, amongst others, one was put forward[e] by the new Bishop of Brechin (Jermyn). This differed from that of the Committee in that it provided for the election of the Lay Representatives to be performed, not by Diocesan Boards (which indeed found no place at all in this scheme), but by the Congregations themselves. It differed, however, from the plan advocated by the "Scottish Guardian" in the matter of clerical representatives, for whereas that journal would have every instituted and licensed Presbyter to be a member of the Representative Body, the Bishop of Brechin (agreeing in this with Mr Jamieson[f]) would greatly reduce the clerical representation by providing that there should be only one clerical representative for every five incumbencies.

III. But the course of the discussion at last made it plain that there was no insuperable difficulty in coming to *some agreement between the two parties*. The "diocesan" and the "congregational" principles were not irreconcileable.

(a) It was in this sense that the *Bishop of Edinburgh* (Cotterill) now intervened to the following effect[g]:—"In the organisation of the Church for financial, as well as for other, purposes, two extremes are to be avoided: on the one hand that of the absence of sufficient and effective centralization; on the other, that of such absolute centralization, as shall hinder instead of promoting local action. In the Church, and indeed in all corporate action on a large scale, true *freedom* and harmonious *co-operation* can only be attained by uniting together the different parts of the system amongst themselves, and not merely with some common centre.

Exclusive centralization . . . cannot produce healthy vigour in Church action. There are various diocesan matters, which cannot be left without injury to the control of a central body.

At the same time I concur in the objections, which have been urged against Diocesan Boards with the powers contemplated in the Committee's Report.

e p. 154. *f* p. 192. *g* S.G., 1876, vol. i., p. 162.

What the relations of the Diocesan bodies to the central body *should be*, it is neither necessary nor expedient to define at present. The one principle to be recognised in the Constitution is that the Representative Church Council has full powers in regard to all those matters of Church finance, which are committed to it, and that therefore *it may assign to Diocesan Councils* such of its functions, as it may find practically expedient."

(b) The "Scottish Guardian" itself began to admit this:—"We don't dispute," it said, "the value or necessity of diocesan organisation *per se; we don't see why the Congregational Representatives of a Diocese should not form its Diocesan Board.* What we object to is the formation of a distinct class of so-called Diocesan Representatives, who will simply be the nominees of a small body of Churchmen" [h] (i.e., the Diocesan Boards).

IV. At last the day of Meeting (April 20th, 1876) arrived and *the adjourned Conference re-assembled.*[i]

(a) There were, as we have seen, *three* [j] *main forms of Constitution* turning themselves over in the minds of the members: -(a) First, that of the Committee, which overshadowed such Congregational Lay Representation, as it allowed, by a greater number of Representatives elected by Diocesan Boards and of *ex officio* members, and admitted but a minimum of Clerical Representation. (b) Secondly, the Bishop of Brechin's proposal, which had no Diocesan Boards at all, and gave a Council almost entirely made up of Congregational Lay Representatives, the Clergy being here, too, reduced to a minimum. And (c) Thirdly, the Scheme advocated by the "Scottish Guardian," in which the great bulk of the Lay Representatives should be sent up to the Council directly by the Congregations; every instituted or licensed Presbyter should be a member, and in which there should be Diocesan Boards, but such as should be dependent on, and not masters of, the Representative Council.

h S.G.,1 876, vol. i., p. 163. *i* p. 191. *j* p 179.

(b) The attendance was considerably reduced compared with that recorded for the first meeting of the Conference on October 20, 1875. In Conference, and often in Committee, the Primus (Eden) was in the chair; in Committee, sometimes Mr Stirling of Kippendavie. The Bishop of Brechin took a leading part in *moving resolutions*. (1) It was he, who successfully moved the adoption of the name *The Representative Church Council*,[k] as against the Rev. E. W. Chapman's *Church Finance Council*, on behalf of the Committee. (2) It was Dr Grub, seconded by Mr Louson Walker, who, by 66 to 61, carried that "*All the instituted or licensed Presbyters of the Church shall form part of the Council.*" (3) Next, although Mr George Auldjo Jamieson was eager to have the Lay largely outnumbering the Clerical Representatives (in this agreeing with the Bishop of Brechin), and, though he moved that "Lay Representatives elected by each Diocese should be appointed in the proportion of two representatives to each Clerical member sent up by the Diocese,"[l] yet Dr Grub's motion was carried, to the effect that (besides a few *ex officio* members) there should simply be "*a Lay Representative from each Incumbency and licensed Mission, elected by the congregation.*"[m] (4) There were many *more important motions* and amendments,[n] such as those, which dealt with the Meeting Place; the Chairman; the Committees; Trustees; Officials; the Funds; the Equal Dividend; the Congregational Committees; the Collection of Funds, and the like; but we shall confine ourselves to the fate of only one more of the Committee's most controversial proposals. (5) Sir Donald Campbell moved the creation of Diocesan Boards, to be elected both as regards their Clerical and Lay members directly by the Congregations, thus rendering them independent of the Representative Church Council, but the Bishop of Brechin (having been led by the discussion to see that some sort of Diocesan machinery was desirable) carried an amendment to the effect that *the Diocesan Councils should consist of those members of the Representative Church Council, who lived in the Diocese* (with power to

k p. 191. *l* p. 192. *m* pp. 193-4. *n* pp. 193-4.

add to their number); thus making the Diocesan Councils subordinate to the Representative Church Council.

(c) The "Scottish Guardian" *was exultant*, and well it might be, for all the points, after which it had been struggling, were established. "When the battle is won," it exclaimed,[o] "and the pursuit is at an end, the victors re-assemble on the well-fought field, and the bugles sound 'Cease firing!' It is fitting that such should be the case in respect to the long and arduous struggle, which has recently engaged the Church. Having gained at the Conference all, for which ourselves and our friends contended; having witnessed the adoption of those principles, which we believe to be at the root of a sound and efficient Church organisation, we certainly feel as little wish to renew the struggle, as to indulge in an unseemly triumph. And it may very well be that our opponents will cheerfully accept the fortune of war, submitting to the inevitable and endeavouring to reconcile themselves to a defeat, which is undoubtedly for their own good!"

o p. 211.

CHAPTER XXI.

The General Synod, 1876.

It is quite true that the great Conference, the meetings and acts of which have now been given, was of such a representative character as to have practically settled that the Laity were to receive larger powers, and that those were to be connected with the administration of finance, yet much still remained to be done, before the matter could be considered as arranged. For, after all, the Conference, however representative it may have been, was not the Legislative Body of the Church. That position belonged to the General Synod, and it therefore remained for it to assemble, and consider its relations with the new and aspiring Council:—

I. *The General Synod Summoned.*

(a) Here, therefore, we must first give some account of the resolution of the Bishops that a General Synod must be held. And for this purpose it is necessary to turn back to the meeting of the Episcopal Synod held in the Freemasons' Hall in Edinburgh[p] on November 17, 1875. It was the Bishop of St. Andrews (Wordsworth) who there moved: "*That the time is come, when it is expedient that the Bishops should convene a General Synod of the Church.*" He supported this motion by a long speech, in the course of which he discussed four subjects, in his opinion, requiring the attention of the ecclesiastical Legislature. These were—the qualifications and training of candidates for Holy Orders, in connection with which he expressed his fears that the newly-founded College at Cumbrae would prove to be a formidable

[p] S.G., November 19, 1875, p. 280-4.

rival to the older institution at Glenalmond; the status of Cathedrals, in connection with which he gave his experiences at Perth, and the question of periodical General Synods, of which he expressed himself as being in favour. But the only one of his four grounds, which concerns us in these pages, he introduced in these words:—"I propose that the General Synod should meet to re-consider Canon xlii., entitled 'Of the Scottish Episcopal Church Society.' This appears to have been made absolutely necessary by the recent proceedings of our Church Conference." The effect of this lengthy argument upon the Episcopal Synod may be gathered from the following words of the Primus[q]:—"I am very willing simply to second the proposal of the Bishop of St. Andrews, that there should be convened a General Synod for the purpose of considering certain of the Canons, and with a view, if necessary, of adding others. With some of the views stated by the Bishop I agree, but with others I cannot." "Ultimately the following resolution was adopted:—*The Bishops unanimously agree to the expediency of convening a General Synod, for purposes to be specified by them, at an early period.*"

(b) After the fervent and persistent appeals, which had been quite recently addressed to the Bishops, in favour of summoning the General Synod, one would have thought that their present decision to do so would have been welcomed without one dissentient voice. But it was not so to be. *The decision was challenged on two grounds* in the columns of the "Scottish Guardian." "Cui Bono"[r] both asked:—(1) "*What good result* to the peace and welfare and true progress of the Church can be expected from the General Synod's deliberations?"—even granting that it were called together in proper form; and (2) also *denied* that, as a matter of fact, the Bishops *were summoning it in a legal manner*. What he asked in the latter connection was this:—"Is[s] the proposed limitation of the discussions and resolutions of the General Synod within their Lordships' admitted powers? By no means! On broad constitutional grounds, it is cer-

q Ibid. 283. r S.G., December 3, 1875, p. 310. s p. 309.

tainly impossible to limit the discussions and decisions of the highest legislative court of any institution." "Vigilans"[t] agreed with him, and the "Scottish Guardian" itself thought there was something in the second objection,[t] although it advocated a compromise on the point. In answer to the first objection, i.e., the inexpediency of having a General Synod, the same Journal wrote as follows[u]:—"Those of our correspondents, who call upon the Bishops to reconsider their decision, forget two highly important data: first, that the large majority of their fellow-Churchmen are unquestionably of opinion that the Synod will be useful in carrying out many necessary reforms, and, second, that they are assuming, what they have no right to assume, that the Episcopal College came suddenly and thoughtlessly to the adoption of a very serious step."

In answer to the second, or Constitutional, point, Major Scott wrote:—"The[v] very theory of Episcopacy appears to me to be set aside, if the second Chamber are to exercise the power of initiating the legislation of the Church." But the question was a legal one, and at the Episcopal Synod the Primus had said[w]:—"I believe—and I have taken opinion on the subject—that it is quite in the power of the Bishops, in convening the General Synod, in accordance with the Canons at present in existence—to limit the subjects, which shall be brought before the Synod."

(c) Accordingly, preparations for the meeting went forward. On May 9th, 1876, the Episcopal Synod met, and immediately afterwards *the Agenda for the General Synod were published.*[x] These included:—Election of Bishops; Qualifications of Candidates for Holy Orders; Presentation and Institution; New Incumbencies and Congregations; Periodical General Synods; New Lectionary; Cathedrals; Appeals; and, our own subject, Financial Organisation, in connection with which Canon xlii. of the Scottish Episcopal Church Society fell to be considered. And in August[y] the

[t] p. 324 [u] p. 342.
[v] S.G., pp. 324-337. [w] Ibid., p. 283. [x] Ibid., May 12, 1876, p. 242.
[y] Ibid., Sep. 1, 1876, p. 104-6.

Committee[z] appointed under the authority of the College of Bishops published a draft of the suggested alterations on the Canons. In this Draft there was an addition of some importance made to the Agenda,[a] i.e., the proposed enlargement of the Clerical Representation in the Second Chamber and in the proposals for Canon xlii., there appeared a clause[b] concerning the Constitution of the Representative Church Council, which had not appeared in the draft carried by the late Conference,[c] i.e.:—"Provided always that the Constitution of the said Council, and any future alterations thereon be submitted to and approved by the College of Bishops."

II. *The Meeting of the General Synod.*

At[d] last, "*the General Synod commenced its sittings on Tuesday, October 10th*, at 10 a.m., in the Masonic Hall, Edinburgh." After his opening remarks, to which we need not at present allude:—

(a) *In the Upper House*: "*The Primus* (Eden) said that the first subject, which they had agreed to take up, was *the consideration of Canon xlii.*, which made the Church Society a Canonical Society. He then moved that Canon xlii. of the present Code be repealed.

"*The Bishop of Edinburgh* (Cotterill) seconded the motion, which was unanimously agreed to.

"*The Primus* then proposed that the first clause should stand as follows:—'*The Representative Church Council*, the formation of which was resolved upon at a Conference of Clergy and Laity of the whole Church, convened by the College of Bishops, and the Constitution of which was formally accepted by the College of Bishops by a resolution dated October 9, 1876, *is recognised as the organ of the Church in matters of finance*, provided always that no alterations in the said Constitution shall be valid, unless submitted to, and approved by, the College of Bishops.

"*The first clause of Canon xlii. was agreed to.*"

z For particulars of this Committee see Bishop of Edinburgh's Charge, S.G., 1876, June 2, 274.

a S.G., p. 106, lines 18-21. b Ibid., p. 106.

d S.G., Oct. 13, 1876, p. 176.

(b) In the Lower House, when the Prolocutor[e] (Dean Montgomery) brought this resolution of the Bishops down to *the Lower House*, there was a *preliminary skirmish*. For the Bishops were likewise suggesting that the Agenda should be taken up in a somewhat different order from that which had appeared in the notices summoning the meeting. Certain items of the business, they suggested, might be postponed until the clerical representation in the Second Chamber had been enlarged, as proposed. Now that was too much for the constitutional sensibilities of the Presbyters, and they were not in a fit state to consider the episcopal proposals on Canon xlii., so long as this irregularity was in the air. Whatever the Episcopal Synod had decreed as the Agenda of the meeting in summoning the General Synod must be strictly adhered to. Poor Bishops! (if such an exclamation be lawful):—When they had recently insisted on the necessity of strictly defining the business of the Synod beforehand, they got into hot water; and now that they were proposing a slight relaxation of that strictness, they were in hot water again. Their proposal on Canon xlii. was in straits in the Lower House!

(c) A Conference of the two Chambers was accordingly held, the proceedings of which are not recorded. But it effectually cleared the atmosphere. In the first Chamber we hear no more about modifying the Agenda; and *in the second the proposed new Canon xlii. went easily through*:—

The *Prolocutor* now said that he supposed they had better *proceed to business*, as they had had certain matters brought down from the first Chamber for their consideration. There were two distinct principles to be decided upon before going into matters of detail. First, shall the Church Society at present established by canon give place to another; and secondly, shall we establish the Representative Church Council by Canon?

The *Dean of Brechin* (Nicholson) moved that the Chamber repeal the existing Canon. The *Rev. J. Comper*, Aberdeen, seconded.

[e] Ibid., 1876, Oct., 13, p. 179.

The motion was agreed to.

The *Rev. J. Comper* moved that no canonical authority be given to the new Church Body. He never could see any necessity, and failed to see any practical result, from the adoption of a Canon in a matter of this kind. He thought it desirable to keep as separate as possible matters purely spiritual from matters financial, and he did not see that they needed a Canon requiring people to give money for Church purposes. The *Rev. A. Ranken*, Deer, seconded Mr Comper's motion.

The *Dean of Brechin* proposed that the Representative Church Council receive canonical sanction. The *Rev. J. Crabb*, Brechin, seconded.

The *Rev. W. Stephen*, Dumbarton.—If you do away with the sanction of the Canon, I feel that those Congregations, who have not fallen heartily into the new scheme, will not contribute so largely, as they would do, if it were to be canonical.

The *Rev. J. A. Sellar*—It may also be kept in view that the great body of the Laity, who have been interesting themselves in the foundation of the new Council, have been looking for a Canon, and will be disappointed, if we do not adopt one.

The *Rev. J. Comper*—As the opinion of the Synod appears to be against my proposal, and as I do not feel it a matter of principle, I am ready to withdraw my motion.

The Dean of Brechin's motion was then agreed to.

The *matter of principle* having thus been settled in harmony with the mind of the Upper Chamber, the actual Canon sent down from the Bishops was considered, *in detail*[f]:—

The title "Representative Church Council" was agreed to as the result of some discussion.

Then *Rev. J. Dowden*, D.D., suggested that, after the words "in matters of finance," there should be added, "but in matters of finance only."

The *Rev. J. Comper* seconded. He said there was a strong probability that the Council might be brought to bear

[f] Ibid., 1876, Oct. 20, p. 190.

upon and take action in matters, which were very far from being purely financial. If, by "the organ of finance," they meant "of finance only," what was the reason for not putting that in?

The *Dean of Aberdeen* (Wilson)—It appeared to him that the words as they stood, without the addition, expressed the same thing as strongly as it was possible to express it. It seemed as if there were some implied doubt about the matter, which there was a desire to express—much like, in asking a man to dinner, telling him that he was not to take supper too.

The *Rev. J. A. Sellar* said he thought the matter should be left so far open that the Council should be at liberty to take up questions of general interest to the Church.

The *Rev. J. Comper* held that it was not the work of the Council to take up (such questions).

The *Rev. A. Ranken* thought that such matters were for the Diocesan Synod.

On a division, 13 voted in favour of the addition of the word "Only," and 9 in favour of the Canon as sent down by the Bishops. It was therefore agreed to add the word as proposed by Dr Dowden.

The second section of the Bishop's proposed Canon xlii., i.e., that dealing with Canonical Offertories, was then carried by 14 to 3.

(d) On the same day,[g] *the Upper Chamber* "received back Canon xlii. with the amendments thereon by the Second Chamber, and agreed *to accept the amendments*, with slight verbal alterations.

(e) There was an appendix to this meeting of the General Synod in October, in the shape of an adjourned meeting in November.[h] *In the interval*, as was natural, *some controversy arose concerning the nature of the work so far done*:—

Mr Norval Clyne appeared as the champion of those in the Church at large, who *felt aggrieved* (1) by the insertion of the word "Only" into Canon xlii., and (2) of the pro-

[g] Ibid., 1876, Oct. 13, 1876, p. 178.
[h] Ibid., 1876, Nov. 17 and 24, pp. 237-9 and pp. 250-2.

vision that alterations in the Constitution of the Council would require ratification by the Bishops. (1) *With regard to the first, he wrote thus*[i]:—"Any attempt to make the Council merely purse-bearer and grand almoner for the Clergy must fail. The Council cannot be tied up to the consideration of only such schemes as the Clergy may originate, without the power of determining in a more general way how the funds at its disposal shall be applied. I hope that the General Synod, while there is opportunity, will retrace its steps." The "Scottish Guardian," too, made the same complaint. It said[j]:—"The introduction of that mistrustful word 'Only' is most unfortunate. We believe that it would give great satisfaction to the majority of our Laity, if the General Synod, on re-assembling, would reconsider the new Canon xlii." *On the other side, the Rev. John Comper* made a very reasonable reply, when he wrote[k]:—"In voting for the word 'Only,' we never intended to restrict the word 'Finance' to the mere raising and distributing of money. I certainly included in it all those inevitable arrangements and modes of procedure, by which effect must be given to the offerings of the faithful in the Church's cause. All we meant, and still, I trust, mean, is to exclude any interference with the internal economy of the Body of Christ." (2) *With regard to the second objection*; that, namely, concerning changes in the Council's Constitution required to be sanctioned by the Episcopal Synod, *Mr Norval Clyne* wrote[l] in indignation:—"However expedient it may appear to the Representative Church Council that alterations should be made from time to time on its Constitution for the more effectual carrying out of the purposes, for which it has been called into existence by the united voices of Clergy and Laity, we shall have no assurance of any resolution of ours satisfying the condition imposed by the General Synod!" And the "Scottish Guardian" supported him. It wrote[l]:—"We believe that, until the canons are promulgated, they are capable of further revision; and it is

i Ibid., 1876, Nov. 10, p. 224.
j S.G., 1876, Nov. 10, p. 222. *k* Ibid., Nov. 17, p. 242. *l* Ibid., p. 214.

our hope that the General Synod will amend Canon xlii., and avoid a most unfortunate collision with the Church Council." No one seems to have written *in reply to this difficulty*. Perhaps the reason of the silence lay in this, that it was obviously impossible to have a great administrative Assembly, like the Representative Church Council, empowered to modify its own Constitution without the sanction either of the General Synod or of the Bishops. If that had been granted, in what sense would the Church have been Episcopal?

(f) That, at least, was the principle, which guided *the General Synod at its adjourned meeting on November 15*. For the following is the whole account of the proceedings in connection with Canon xlii.[m]:—

"The alterations made by the first Chamber on this Canon having been announced, the *Rev. W. Blatch* asked whether this Chamber might not consider them. The *Pro-Prolocutor* replied that he was afraid such a course was not competent—they could not now make a verbal alteration or change a phrase. The *Rev. W. Blatch*—There is the word 'Only' after 'Finance.' The *Rev. J. Comper* submitted that it would be a most unusual course for them to re-open the question. The *Rev. J. Ferguson*—It would be most disrespectful to the Upper House. The *Pro-Prolocutor*—If they find any difficulty, they may send a message to us. The *Rev. Dr. Robinson*—If a mistake has been made, it stultifies us, if it cannot be remedied before we separate. The *Pro-Prolocutor*—There is a principle involved in the instance mentioned."

The Canon was then passed, and in due course,[n] *along with all the other Canons, "read over, adopted, enacted and sanctioned and, in terms of the preface, declared to be in future a canon and law of the Episcopal Church in Scotland."*[o]

And so the result of the last seven or eight years of strenuous controversy was this, that, though the Laity had

m Ibid., Nov. 34, 1876, p. 251. *n* Ibid., p. 252.

o A motion "that the Council should adopt as an amendment to its constitution that no article should in future be altered without being submitted to and approved by the Episcopal Synod" was passed *nem. con.* at the Meeting of the R.C.C., Oct. 12, 1877. See Annual Report, 1877,. p 34.

failed to win for themselves a place in the Synods of the Church, or to gain any canonical voice in legislation, yet *they had succeeded in taking an immense step forward. By the foundation of the Representative Church Council*, a great Assembly was lawfully constituted, in which they were henceforth to stand on an equal footing with the Bishops and Clergy in the raising and administration of general ecclesiastical funds. Henceforth the Laity could feel that any one of their number, having the character and ability, was invited by the Canons to make an influential position for himself, and the rank and file to have their say, in the Church's affairs! Fitly, therefore, did the General Synod conclude[n] with a recitation of the *Te Deum!*

CHAPTER XXII.

"THE OLD ORDER CHANGETH, YIELDING PLACE TO NEW," 1876.

The time had at last come, when the Representative Church Council, after being projected and authorized, as described in the foregoing chapters, should emerge from the region of abstraction; embody itself and assemble. Moreover, as the ground, which it proposed to occupy, was still to a large extent filled by the old Church Society, the junction between the old and the new had to be negotiated. These two subjects, therefore—I. *The first meeting of the Representative Church Council*; and II. *The end of the Church Society*—must form the subject of our present consideration:

I. *The First Meeting of the Representative Church Council.*

(a) In the course of *his Charge*, delivered in Diocesan Synod on May 31, *the Bishop of Edinburgh* (Cotterill) expressed himself in words,[p] which may well be quoted here, although they were actually spoken before the meeting of the General Synod. No doubt, when he spoke, he felt confident that the canonical recognition of the Representative Church Council was already well assured:—(1) "It is impossible for me," he said, "sufficiently to express *my own satisfaction and thankfulness for the general result*. It is my firm conviction that a step has been taken forward, which by God's blessing, will tend more to the consolidation and growth of our Church than any event, that has occurred since its disestablishment." (2) "I feel assured that *all*, who desire the prosperity of the Church . . . *will yet for the sake of the Church heartily accept what has already been done*, as thus far an accomplished fact." (3) *The step we are about*

[p] S.G., 1876, June 2, p. 274.

to take is to a certain extent an experiment, because it somewhat differs from every other form of Church organisation in modern times, and yet it is no novelty, as some seem to imagine. We are but reverting to that, which, though not the most primitive organisation of the Church, at all events at one time prevailed in Western Europe in the form of the mixed Councils of Clergy and Laity, by which temporal matters concerning the Church were arranged." (4) "This is indeed an experiment, but in another sense from that, which some imagine: it will be no doubt one, in which we shall exhibit before the eyes of men of what spirit we are: *it will put us to the test, whether there is real Church life amongst us.*"

(b) The beginning of the test at length drew near. *The meetings were fixed* for the 12th and 13th of October. *The elections for the Lay Representatives* went on apace throughout the Church,[q] and *the Agenda* of business appeared.[r] The items, all in a form, which showed that it was a first meeting, fell under the following heads:—1. Time and Place of Next Annual Meeting. 2. Appointment of Executive Committee. 3. Appointment of Trustees. 4. Of Secretary and any other officials. 5. Chambers for Council Business. 6. Clergy Fund (a) Collection (and under this head the famous ideal of £100 Equal Dividend was first brought forward), (b) Distribution. 7. Special Grants to Poorer Charges. 8. Foreign Missions. 9. Walker Trust. "The practical work of the Council on Thursday next," said the "Scottish Guardian,"[s] "will be the completion of its organisation," and for the *last time there were meetings of the old Diocesan Associations*, and for the first time those of the new Councils, which were to succeed them.

The "Scottish Guardian" "*looked forward with eager expectations to the first meeting of the Representative Church Council.* Such an event, it said, must possess a special interest for intelligent and earnest Churchmen; and not the less because, even so recently as two years ago, it

[q] Ibid., 1876, Vol. II., pp. 152-165; also June 30, p. 326; and Aug. 4, p. 53-82.
[r] Ibid., p. 167. [s] Ibid., Oct. 13, p. 163.

would have seemed an act of unusual rashness on the part of any individual to have predicted that in October, 1876, the Church would be represented in Council by Bishops, Clergy, and Laity, and the old system of divided responsibility be swept away for ever! "But now," it went on, "that the Church is provided with machinery so simple and effective, the question necessarily suggests itself:—What will she do with it? Spend it to waste, or utilise it nobly? Reduce it to a mere mechanism for increasing the Equal Dividend, or convert it into an agency for infusing a vigorous life into every part of her system? What will she do with it?"

(d) It cannot have been without some inward emotion that on October 12th *the Primus rose* amid the other six Scottish Bishops, in the Freemasons' Hall, Edinburgh,[t] *to open the first meeting of the Representative Church Council.* There before him, gathered in Canonical Assembly, were two hundred and fifty representatives, clerical and lay, in equal numbers, from every congregation in the country! Through what long years of patience and of earnest conflict had he been called to go, with a view to bringing about such a moment as this, since, in 1853,[u] he and the Bishop of St. Andrews had invited their laity to take some tentative part in the Council of the Church! And how many of his fellow-workers had passed away without having lived to see what he now beheld!

His introductory Address was calm and business-like: we quote the following sentences from it:—"My Reverend Brethren and Brethren of the Laity,—In meeting together to-day we are met as the result of that Conference, which was held in order to ascertain whether it would not be possible to make an improvement in the matter of ordering the finances of the Church. The proceedings of that Conference are before you all. The result of the Conference was the framing of a constitution for a Representative Church Council. Under a constitution thus framed, submitted to the Bishops, accepted by the Bishops, and since adopted by canon as the financial organ of this Church, it has been accepted and passed as a

[t] Ibid., 1876, Vol. II., p. 180. [u] Ch. VIII., Sec. II.

canon in lieu of the old Canonical Church Society. We are, so far as it is possible, the Church by representation for all purposes of Finance. But it will be very necessary that we bear in mind that we are a Representative Church Council for Finance only: that we are in no sense a legislative body of this Church. We now meet in order to give life to the Constitution, which we have adopted, to frame such rules and regulations for the reception and management of the Finances of the Church, as may best promote the Church's interests, both amongst the richer and poorer classes. The latter, I am sure, will chiefly occupy the attention, the thoughts, and the interests of the Council." "I congratulate the Church on such an assembly as this, and I am sure that, meeting as we do under a deep sense of the responsibilities we have each taken upon ourselves, we shall feel that, in carrying on the discussions that arise, we shall be animated by the one object of furthering the interests of the Church."

(e) *The business transacted* by the Council corresponded, of course, to the Agenda:—(1) The Constitution as settled by the General Synod was accepted.[v] (2) It was agreed that Glasgow should be the place of meeting for 1877. (3) The Executive Committee, with the Bishops as *ex officio* members, was appointed, and all funds and schemes put under their charge.[w] (4) The Executive Committee was empowered to appoint Trustees. (5) Rev. E. W. Chapman was appointed Secretary.[x] And (6) the Clergy Fund was resolved upon with the ideal of providing an Equal Dividend of £100.[y]

(f) "It is admitted on all hands," exclaimed the "Scottish Guardian" of October 20,[z] "that the *first meeting of the Church Council was a complete success*. Everybody is congratulating everybody; and 'I told you so' is the recognised *mot d'ordre*. There are no croakers now. The impracticables have disappeared!" "To those, who bear in mind the extent of the past disorganisation of the Church, the weight of the incubus of congregationalism, which rested upon it; the apathy, that prevailed in some quarters, and the

[v] Ibid., 1876, Vol. II., p. 181. [w] Ibid., p. 182.
[x] Ibid., pp. 182-192. [y] Ibid., p. 183. [z] Ibid., p. 186.

ignorance in others, we are sure that the inauguration of the Council must have been a surprise, as startling as it was welcome!"

II. *The Disappearance of the old Church Society.*

The mere resolution of the General Synod, that the Scottish Episcopal Church Society should disappear, did not of itself bring about the result contemplated. Before an Association which is in possession of Trust Funds, can be dissolved, certain legal steps have to be carefully taken, and what the Synod's Resolution therefore did was *to authorise the legal steps being taken towards the winding up of that Society*, from which it had now withdrawn canonical authority. What these steps were we proceed to narrate: –

(a) At the adjourned Conference of April 20, 1876, the Primus said[a]: –"You are aware that a meeting of the Church Society has been convened for to-day and at the same hour and place, to which our Conference was adjourned. It was with the view of enabling the Church Society to come to some understanding in the event of the Conference issuing in the formation of a Representative Body of the Church. It appears to me that it would be unwise and almost impossible for the Church Society to take any step, till it knows whether there is to be a Representative Body, to which would be entrusted the reception and working of the Church. I would therefore suggest that *the meeting of the Church Society be adjourned till after the completion of the work of the Conference to-day*."

(b) Accordingly *it re-assembled on Friday, April 22nd*, with a view to seeing what could be done under the changed circumstances towards carrying out its own resolution of February 2nd to the effect that[b]:—"It is desirable, in contemplation of the formation of the proposed Representative Body of the Church, that the Church Society should now amalgamate therewith or be merged therein." On behalf of their Committee Mr Hugh J. Rollo, the Secretary, advised that[b] "*the action necessary in the circumstances appeared*

[a] S.G. 1876, April 21, p. 191. [b] Ibid., 1876, April 28, p. 214.

to them, as advised by Counsel, to be as follows, i.e.:—(1) That the Society should at its annual General Meeting in December next pass resolutions for the purpose of carrying out the motion of February 2nd. Further (2), that the Society should remit to a small Committee to consider and amend the proposed alterations in its constitution and rules, with instructions to lay them before Counsel for revisal, and publish the same before October next, and thereafter give due notice of the alterations as adjusted, for the purpose of their being made by the Society at its general meeting in December next." All these transactions were to be duly reported to the College of Bishops and dealt with by the then approaching General Synod.

(c) And then *the terms of Union were drawn up and published*:—(1) *On behalf of the Representative Church Council*, and (2) of the Scottish Episcopal Church Society:—

(1) Thus, *at the opening meeting of the new Council on October 12, it was resolved*,[c] on the motion of Mr G. Auldjo Jamieson: Firstly, "that the Executive Committee shall have charge . . . of all sums, which may be handed over to the Council by the Scottish Episcopal Church Society," and, secondly,[d] "that the selection of Trustees, in whose names the funds of the Council are to be vested, be entrusted to the Executive Committee."

(2) Those were the resolutions of the Representative Church Council; and *on its side the old Society made known its terms* by advertisement.[e] From these we quote as follows:—"The Capital Stock and Funds of the Society shall remain vested in the Trustees of the Society, who shall consist of the present Trustees of the Society and of such other persons as may from time to time be appointed as Trustees for the purpose by the Representative Church Council," and a good deal else in the same direction.

What the effect of the mutual acceptance of these terms would be was thus described by the Primus at the last meeting of the Committee of the Church Society, November 23, 1876*f*:—"I see in the resolutions advertised that the Trustees

c Ibid., 1876, Oct. 13, p. 182. *d* Ibid., p. 200. *e* Ibid., p. 197.
f Ibid., p. 263.

of the Church Society will be still in existence, and will be associated with the trustees of the Representative Church Council. With the view of meeting possible testamentary bequests to the Church Society, it will be necessary that these Trustees should continue to be in existence, that they may be able to give discharges; and therefore practically the Church Society, through its Trustees, will live for a good many years yet—probably for perpetuity."

And the *terms of amalgamation seem to have been fully complied with* at the meeting of the Representative Church Council on Octiber 11th, 1877, when[g]:—"*Mr Haldane* said that, although the active duties of the Church Society were now somewhat suspended, it was necessary that there should be Trustees to hold the Stock of the Society. The Primus, the Bishop of Edinburgh, Mr John Mackenzie, Mr Irvine of Drum, and Mr Walker of Bowland were the present Trustees, and he proposed that, in accordance with a resolution passed at the meeting of the Church Society in November, two new Trustees should be elected. He had to propose the appointment of Mr J. B. Balfour and Mr Frederick Pitman. *Mr Ligertwood* seconded the motion, which was adopted." *The Trustees of the Church Society were now officials of the Representative Church Council.*

(d) *Retrospect of the Church Society.*[h] At the last general meeting of the Church Society[i] (December 13, 1876), Mr Hugh J. Rollo gave a history of the work of the organisation, of which he had been so distinguished an official. From this we give the following extracts:—"In 1838 the total number of Episcopal Congregations in Scotland was 76. In the larger cities it was comparatively easy to make a tolerable provision for the Clergy: but in less favourable positions it was less easy to do so. . . In 32 Congregations the average income from all sources was £54. These figures describe a state of destitution hard to realise. . . Such were the wants of the Church, when at a General Synod held in Edinburgh in 1838 a proposal was made by the late Dean Ramsay

[g] Ibid., 1877, Oct. 19, p. 185.
[h] For all the faults of the Society see Chap. XIX., Sec. II.
[i] S.G., 1876, Dec. 15, pp. 288-9.

to constitute and to give canonical sanction to the Scottish Episcopal Church Society. . . The immediate result of the Society's efforts was to make £80 the minimum income in the Church. This was in 1847 raised to £90, and in 1850 to £100, where there was no parsonage. . . The Society's income had risen during these 10 years from £1500 to £3000. But 56 new congregations had been added to the Church, of which only 17 were self-supporting. The efforts of the Society during the first 25 years of its existence were directed to aid the poorest Incumbencies only. . . The first notable change with a view to extend the range of the Society's operations was made in 1864—to give stipend aid to all Congregations where the income available for the Clergyman did not amount to £150 (and other enlarged aims). . . This was a great step in the direction of making the Society the financial organ of the Church, instead of being merely the distributor of one branch of its charity; and it prepared the way for the still greater change of 1871, when the Equal Dividend system was introduced, under which every member of the Church is asked to contribute to the Church as a whole. The Society had now been led beyond the range contemplated by the Canon, under which it was constituted," and Mr Rollo goes on to give a review of what has been related at length in these pages since Chapter XIX. "The total income of the Society during the past financial year (1876) was £7336 and the expenses of management and printing £1200." To this we may add the statement of the Primus[j]:—"When I consider the amount of capital, which is to be handed over to the new body to-day—the Representative Church Council—I cannot but feel that the £20,000, or nearly that sum, may be accepted as a legacy left to the Church by Dean Ramsay."

III. *The end of the Bishop of Edinburgh's Synodical Scheme.*

The Bishop of Edinburgh's scheme, by which the Laity had received a certain definite standing in his Synod, was of

[j] Ibid., Dec. 1, p. 263.

too notable a character for us to leave its ultimate fate under the new regime altogether unnoticed. It will be remembered that for the last four years Lay Synodsmen had been elected in his Diocese, who were present at the meetings of Synod with limited right of speech, according to the permission granted by the Canon of 1863, and who further, by the authority of the Bishop of the Diocese, were granted the right of recording their votes, when the Synod sat, not as a Synod, but as a Committee. Now it is obvious that there was such a strong affinity between the Edinburgh Diocesan Synod, on the one side, sitting in Committee with Lay Synodsmen as full constituent members; and, on the other, the newly-formed Diocesan Council, that *the transition from the one to the other made hardly any perceptible change*. As the Bishop (Cotterill) himself said in his Charge[k] of May 31:—"With regard to the practical working of the new system in the Diocese, this part of the scheme agrees so nearly with that adaptation of our Synodical action, which we have found to work admirably during the last four years, that it will be, as regards the outward form, merely a change of name, and will only require some slight modification of our rules of order. The real difference will be—and that will be an incalculable advantage—that our Diocesan Body will have an *authority* as regards financial matters, which it has not hitherto possessed, by being connected with a central Representative Body of the Church." In a sense, therefore, the Edinburgh Diocesan Council is the oldest in Scotland!

APPENDIX TO CHAPTER XXII.

The work done by the Representative Church Council since its foundation might well, indeed, be described under the head of Lay Work. But, after all, *Finance* is a great subject, the history of which would require a separate treatise for itself, and the *Constitutional Powers of the Laity* is another, and is that which is dealt with in this volume. However, a bird's-eye view of the results of the new Council's

[k] Ibid., 1876, June 2, p. 274.

labours for the first 30 years of its existence will not be out of place here. We therefore repeat Mr Rollo's remark concerning the finance of the old Church Society in its last year (1876), which was to this effect:—"The total income of the Society during the past year was £7336, and the expenses of management and printing were (!) £1200, and give the following summary* of the Representative Church Council's transactions during the first generation of its existence:—

Contributions to the Clergy Fund, the Home Mission Fund, the Education Fund, and the Foreign Mission Fund since the institution of the Representative Church Council:—

Year.	C.F.	H.M.F.	F.M.F.	Education.	Total.
1877...	£12,211	£800	£833	£642	£14,486
1878...	12,353	1025	1447	624	15,449
1879...	12,318	1032	2173	675	16,198
1880...	12,548	1116	3435	682	17,781
1881...	12,792	1242	2469	705	17,208
1882...	12,706	1263	3713	695	18,377
1883...	12,675	1503	2877	740	17,795
1884...	12,292	1350	2317	673	16,632
1885...	12,249	1618	2780	674	17,321
1886...	12,121	1540	2577	723	16,961
1887...	12,067	1991	2571	740	17,369
1888...	11,935	1958	5229	766	19,888
1889...	12,333	2464	2725	737	18,259
1890...	12,249	2670	2175	784	17,878
1891...	12,406	2735	3082	865	19,088
1892...	12,497	3078	3876	907	20,358
1893...	12,566	3343	2894	1104	19,907
1894...	12,492	3213	3135	994	19,834
1895...	12,580	3532	2536	993	19,641
1896...	12,693	3589	3311	1006	20,599
1897...	13,326	3539	3673	956	21,494
1898...	13,437	3925	4015	989	22,366
1899...	13,592	4020	5132	1073	23,817
1900...	13,498	3910	4192	996	22,596
1901...	13,354	4261	4262	907	22,784
1902...	13,319	4374	4906	943	23,542
1903...	13,102	4431	4594	408‡	22,535
1904...	12,890	4317	4525	959	22,691
1905...	12,849	4129	5070	1103	23,151
1906...	12,751	3918	4715	1152	22,536

* "Scottish Chronicle," April 24, 1908, p. 284; signed W. L. L. Education column added. ‡ Half year.

CHAPTER XXIII.

The General Synod of 1890 and Subsequent Discussion.

As is evident from the foregoing summary of its work, the Representative Church Council was a great success. By its means the Church had organised itself in its corporate capacity for financial purposes; and in this organisation a position, at least equal to that of the Clergy, had been frankly conceded to the Laity, and for a long time they demanded no more. To all intents and purposes *the establishment of the Council satisfied the advocates of the Lay Claims for a quarter of a century.*

Nevertheless, even in this period of quiescence, there were *two incidents* in connection with the Claims, which it is necessary to record:—

I. *The General Synod of 1890.*

The first of these is *the General Synod of 1890.* The Lay Claims played, indeed, a very subordinate part in its transactions, but yet they were dealt with and gained something by its legislation:—

(a) Besides some minor provisions[l] in connection with the Lay Representatives, entitled to vote in the election of a Bishop, there were two enactments, which we may notice. (1) The first of these was that *their title* was changed from Lay "Representative" to Lay "*Elector.*"[m] This was done to distinguish them from the Lay Representatives of the Church Council. (2) The second was that *Mission Charges* were admitted to the right of choosing Lay Electors, and the male communicants of Mission Stations were allowed to vote along with those of the Mother Church, to which they belonged, in the appointment of the same official.[n]

l See Canon IV., Sections 3 and 4, Code of 1890. *m* S.G., 1890, p. 311.
n Ibid., p. 337.

(b) A slight advance was also made in connection with the *right of Laymen to attend Diocesan Synods*. Hitherto they had been left to find out, as best they could, where and when these assemblies were to be held. Now it was enacted[o] that:—"Notice of the date and place of the Diocesan Synod, and of its being open to all Communicants, shall be given during Divine Service at least one Sunday immediately preceding, by each Rector and Priest-in-charge."

(c) A slight alteration was made in the regulations for *Lay Readers* and Catechists.[p]

(d) And a verbal grievance in connection with the Representative Church Council was got rid of. "The utterly needless and irritating word *Only*," says the "Scottish Guardian,"[q] "is deleted after the word 'Finance' in Canon xlv. 'On the Representative Church Council,' and the meaning, intended to be conveyed, is brought out plainly and distinctly thus:—'The Representative Church Council is recognised as the organ of the Church in matters of finance, but shall not deal with questions of doctrine and worship, nor with matters of discipline, save to give effect to Canonical Sentences of the Church.'"

II. *1891: Subsequent Discussion.*

The second incident, which occurred during this quarter of a century's quiescence, was an unmistakable *outbreak of the old controversy*, in the shape of a demand for additional rights to the Laity, other than financial in character. This demand was made and discussed in the columns of the "Scottish Guardian" during the latter half of 1891:—

(a) It arose out of the re-printing by the Editor of *certain old documents*, viz.—The Rev. John Skinner of Forfar's Letter of 1824 on the Lay Question,[r] and of Letters[s] on the same subject addressed to the Synod Clerk of Argyll in 1862 by Bishop Smith of Kentucky, the Presiding Bishop of the American Church, and the Archbishop of Armagh, Primate of the Irish Church.

o Ibid., p. 324; Canon XXX., Sec. 10.
p Canon XLIII., Sec. 4; S.G., 1890, p. 334. *q* p. 338.
r S.G., 1891, p. 292; see Chap. I., p. 5. *s* pp. 383-4.

(b) The perusal of these documents *moved J. A. S.*[s] *to send to the Editor "a short restatement of the case for the Laity,"*[t] which ran somewhat as follows:—(a) "It is not claimed, indeed, that the Laity shall have right to enforce changes against the will of Bishops and Clergy. . . . But *the essential is* that on all material questions the laity shall have representation, the right to state their views, and by their vote to veto changes, to which they are opposed—changes even in doctrine, in discipline, or in the ritual of the Church." (b) He then *deals with the objection* that his proposal is "a departure from Catholic usage." He meets it by asking leave to say, firstly, that "so far as I am aware, few dispute that in some way or another the assent of the general body of the early Church was taken to legislative alterations or declarations with reference to her Creed and Constitution; and, secondly, that there is weighty authority in favour of the view that the change proposed is consistent with primitive and Catholic usage." (c) He then *quotes his "weighty authority"* from the Report of the Committee of the Lambeth Conference of 1867; the utterances of Bishop Wordsworth; Dean Walker; Mr Gladstone's famous Letter; the examples of the Churches of England, America, Canada, Australia, and New Zealand. "Nor is it unimportant to notice that in Scotland the great Presbyterian Denominations concede to their laity the privilege and responsibility of membership in all Church Courts and Assemblies." (d) *He claims, therefore, that the Laity be consulted* in a regular manner, . . . and that in no way can this be so satisfactorily ascertained as by letting representatives of the whole Church consider the matter." (e) One *advantage* would obviously be that "Changes would be effected with much less chance of schism within the Church on the part of those opposed to them." Another, that whereas there has been too much apathy amongst the laity concerning this subject, the proposed change, if carried into effect, would have a "beneficial, educative effect."

This outspoken claim on behalf of the Laity was ably

s Mr Spens. *t* pp. 397-8.

supported by other writers to the "Scottish Guardian." These were W. L. L.,[u] Walter Brown, and S. E. T.[v] Mr Spens also made a second contribution at the end of the whole correspondence;[w] but let his first paper, as given above, stand as a specimen of the position of the more thorough-going champions of the Lay Claims.

(c) Amongst his *uncompromising opponents* in this correspondence the protagonist was T. H. L.[x] This writer (a) exclaims—"I feel certain that there are many, who are prepared *to resist*, both with courage and, if need be, with sacrifice, *the un-Catholic and Synod-destroying movement*, which he so frankly avows to be his purpose to further." He quotes Canon Joyce to the same effect:—"I affirm with very considerable confidence that, were such desires realised, those, who witnessed the catastrophe might truly say in their despair, 'Actum est de Ecclesia Anglicana!' (b) Then, *as to his authority* for making such an exclamation, he says:—"Historical research has proved conclusively that Laymen have no voice decisive on matters spiritual," and quotes from Canon Joyce and Mr John Watson Lee to show that this has been proved. (c) Again, the claims advanced by J. A. S. are "*against the preconceived idea of every believer in a real and living Ministry of Christ's Church.*" Upon this point he enlarges. (d) He then *refutes J.A.S.'s authorities*. As for that of the Committee of the Lambeth Conference, "I must say I fail to see in their deliverances anything corresponding to the design and scope of the proposal he has made." Upon this, too, he enlarges. (e) Next he quotes from *the Fathers*—S. Clement, S. Gregory Nagianzen, and the Old and New Testaments. (f) After that he disposes of the examples of the *American and Colonial Churches*. Their "past results," he says, "are bad and prospects are dark and perplexing." (g) And finally, against the *Anglican authorities* brought forward by J. A. S., he brings forward Field, Beveridge, Bramhall, Barrow, Pusey, Harold-Browne, and Hook, and adds Van Espen.

He, too, like J.A.S. had a band of followers in the

u Canon Lowe, p. 431. *v* p. 444. *w* p. 588. *x* p. 413.

columns of the "Scottish Guardian." "Mission Priest,"[y] "Scottish Presbyter,"[z] "R. E. H. S.,"[a] "M. M.,"[b] and "W. H.,"[c] all wrote more or less convincingly in his support.

(d) But we must hasten on from the thorough-going champions and opponents of the Lay Claims to give some notice of *the followers of the Via Media*; those, namely, who were actively in favour of largely extending the rights of the Laity, but yet resisted the idea of introducing them on an equality with the Clergy as constituent members of the Synods:—

Of these, *W.S.*[d] seems to be the most prominent. On August 21 he wrote a long letter, from which the following is a sentence having reference to the proposal of J. A. S. to give the Laity a veto—"I have a strong conviction that a bare negation would not with us be a finality, that the Laity would feel themselves on an inclined plane, and readily moved to press further." On August 28 he wrote again, (a) first pointing out that, as Presbyterian Elders are ordained, "*the parallel* which J. A. S. seeks to establish between Presbyterian Elders and Episcopal Laymen *fails*." (b) "But," he goes on, "I agree entirely with all that he has written upon *the source of Presbyterian influence* with our countrymen, and I am broad enough in my views to believe that there is much in the popular administration of Presbyterianism, and its practical efficiency among the people of Scotland, from which we may well and wisely learn a lesson. . . Presbyterianism is a power in Scotland and beyond it, and the chief source of its power lies where J.A.S. has fixed it, in the thoroughly representative character of its institutions. There is an old adage about the prudence of *learning a lesson from our friends over the way*. . . We want further unification of the Church's powers and the exercise of her corporate influence upon ourselves, and, with God's blessing, on our country. We can only have these in our democratic age through popular representative institutions. If anyone doubts it, let him ask where and what we should have been

y p. 416. *z* p. 444. *a* p. 460. *b* p. 473. *c* p. 608. *d* pp. 415-430.

to-day without the revived life and work of the Representative Church Council? . . . J.A.S. thinks something more is needed on similar representative lines in fields other than the purely financial; and many, I hope, will agree with him, even though they may differ from him as to method and manner."

Taking up the last sentence of S.W., *another writer*, *A.A.*,[f] wrote that, in giving further powers to the Laity "the idea should be to exchange opinions, make suggestions, but certainly not to vote, or veto changes." *R.Y.P.*'s[g] state of mind was best expressed by a quotation from Bishop Torry:—"There is so much to be said of the propriety of introducing the lay element into our ecclesiastical courts, and so much may be also said of the danger of so doing, that I am quite bewildered, when I think of it." Finally, a correspondent, styling himself "*An Elder of the Free Kirk of Scotland*,"[h] was very strong on the point that "the Clergy are the representatives of the Laity," and therefore he maintained that "All enactments dealing with Doctrine, Liturgy, and Spiritual Discipline might be embodied in Canons, only to be dealt with by the fathers and elders." Still, "it cannot be denied that, besides questions clearly of finance, there are many questions which cannot be classed under Doctrine, Liturgy, or Keys, which have to be settled by the Church somehow," and these, he thought, might lawfully be dealt with by the Laity. "There is a wealth of more or less appropriate terms to choose from; they might be called Laws, Acts, Decrees, Statutes, Constitutions, and these Laws (so to call them) might be dealt with by a Representative Church Council."

Things were thus beginning to point towards some further increase of Lay powers, yet such an increase as would not bring the Laity as constituent members into the Synods, but nothing more was done in this direction for a good many years.

[f] p. 445. [g] p. 459. [h] pp. 479-80.

CHAPTER XXIV.

REVIVAL OF THE LAY CLAIMS, 1899-1900.

No doubt the new enactments of the General Synod of 1890 and the Correspondence on the Lay Claims in the "Scottish Guardian" during the latter half of 1891 had constituted a real revival of the old controversy. Still, the enactments of the Synod had both been in themselves slight, and also hidden among others of different kinds, and the correspondence had, after all, appealed to a limited section of the public only. There had, therefore, been no real agitation. In fact, so much had the subject fallen into the background, that those, who remembered, or had read in books, that once upon a time the Scottish Church had been the scene of controversy concerning the Lay Claims, moved about amongst their fellow-Churchmen, as persons possessed of an esoteric knowledge, unshared by "the profane crowd":

I. *From 1899 to October, 1900.*

(a) *During 1899, although there was some talk about the Laity, the quiescence continued.* (1) On October 10th, indeed, *papers were read* by the Rev. F. Carlisle Burton, J. B. Hill, and C. M. Black *at the Church Conference in Aberdeen*[i] on "The Laymen's share in the work of the Church, dealing more especially with the Brotherhood of S. Andrew, and no doubt both the work of that Brotherhood and also that of the Church Army, which by this time was also active in Scotland, deserve especial notice. They show a great *development in the idea of Lay evangelical work*, since the passing of the Canon in the General Synod of 1863 in favour of the licensing of Lay Readers. But still the operations of these societies were only the development of a right already granted to the Laity, and not the vindication of new Constitutional

[i] S. G., 1899, pp. 582-600.

privileges for the unordained members of the Church. (2) *The only direct renewal of the Lay Claims in this year*, that is to be found in the "Scottish Guardian," is contained in a short letter of the Rev. A. Horsburgh.[j]

(b) *Even in 1900, the point of view remained the same for the greater part of the year.* (1) In a paper[k] read before a Conference at Oban, the *Very Rev. Provost Ball*, in proposing a remedy for the fact that "the great central mass of the population, the middle class, keeps itself closed against the influences, which we, as a Church, can bring to bear upon it," went on to say:—"I am not now going to refer to the absence of the Lay element from our legislative assemblies," and added:—"There should be canonical provision made for the erection in every congregation of a Session or Council of Laymen, themselves under canonical discipline, whose duty it should be to bring, in official and responsible manner, the influence of the Lay mind to bear on all matters connected with the ecclesiastical regimen of the parish." (2) And there are frequent notices of the Church Army and Brotherhood of S. Andrew in the "Scottish Guardian"[l] for 1900.

II. *The Edinburgh Conference.*

But a different complexion was put on the matter at the *Conference* held in connection with the Church Council *in Edinburgh* on October 9th. The subject of discussion here was, "*The Relations of the Laity to Legislative Action in the Church*":—

(a) *The valuable papers which were read* by the Revs. H. J. Lawlor, D.D.; D. MacLeane; J. Comper; Dean Walker; Provost T. I. Ball, LL.D.; and Mr John Spens, may be found *in extenso* in the "Scottish Guardian."[m] But we must be satisfied with reproducing the summary account given of them in that Journal[n]:—"It may be said at once that the Conference was remarkable for the great variety of opinion expressed. All that can be done here is simply to indicate the standing point or main contention of the various

j p. 330. *k* S. G., 1900, p. 473. *l* pp. 36. 296, 416, 636, 656, 309, 735, 753. *m* pp. 658, 643, 727, 757, 768, 780. *n* p. 589.

speakers. Dealing with the question generally, the *Rev. Douglas MacLeane* took more or less the conservative view, fortifying his position with authorities ancient and modern. *Professor Lawlor* took the opposite line. He favoured mixed Synods of Clergy and Laity, and pointed out that no act of the Irish Church could now be stigmatised as an act of the Clergy alone. He advocated a Synod, in which there should be a vote by orders, and dealt powerfully with possible objections. The learned Professor's clear and able paper was very stimulating, whether one agreed with it or not."

(b) *The rest of the appointed speakers* dealt with the subject in special reference to the Scottish Church.

The *Rev. J. Comper* strongly deprecated any alteration in the Synods, which would endanger their ecclesiastical character. No one need remind them that the Clergy were not the Church. They freely acknowledged that, and gladly welcomed their Lay members as fellow-workers, but each in his own place. Every voice and vote on things not spiritual should be given to the Laity.

The Dean of Aberdeen (Walker) strongly advocated the extension of the rights of the Laity. After citing various attempts made from 1805 downwards to deal with the question, the speaker argued that the Church Council was a step in the right direction—it was popular with Clergy and Laity alike. He therefore was in favour of the Laity forming a constituent part of our Synods also. He considered there could be no Church question, in which the Laity were not interested, and on which it was not desirable to know their sentiments.

Mr R. T. N. Speir of Culdees proposed a mild form of Lay Representation in Diocesan Synod—that representative Laymen should be asked to be present and have a negative voice in the deliberations, which the Bishop might use or veto, as he saw fit. The same rule, he thought, might be carried out at Provincial Synods.

Provost Ball asked for an authoritative definition of a "Layman." None was forthcoming. As regards the reform

under discussion, Dr Ball's advice was to "make haste and do it slowly."

Mr James Bruce pointed out that there are three kinds of Synods, and that the question in hand dealt only with the Provincial Synod. Mr Bruce was quite contented with matters as they were. He thought it was most undesirable for the peace and welfare of the Church that the Laity should take a direct part in its legislation. He considered that in their part in the election of Bishops, the Laity had an indirect but sufficient influence on Provincial Synods. The question raised another—Was it proposed to give women a voice and vote in these matters? He was sorry to learn Canon Gore thought so. He wanted the Church to remain in statu quo, because it was right, and also because it was best for the Church.

By far the most effective contribution to the Conference was the speech of *Mr John A. Spens*. It was an eloquent *plea for the admission of the Laity to Provincial Synods*. He held it was right, and our present position was untenable. He thought the 1901 Synod should see to that point. They should not presume too far on the apathy or ignorance of the Laity; they should give them their confidence, and they would get their reward in increased earnestness. Mr Spens's address closed amid loud applause.

(c) *In the general discussion, which followed*, the *Bishop of Salisbury* (Dr John Wordsworth) remarked that they in England looked to them for help in this, as well as in other matters. He had no right to give them advice, but he ventured to suggest that they ought to win the Presbyterian bodies around them, as far as they possibly could, by showing that they appreciated what these Churches had done and the experiments, which they had made in Church government.

Mr Francis Darwin, a member of the York House of Laymen, and also a member of the Executive Committee of the Scottish Church Council, challenged a point in the first paper, and maintained that the York Lay House did desire to have legal recognition, though they did not desire to have

the same place as the clergy. But, as laymen conferring with laymen, and by placing their opinions before the bishops and clergy, they were enabled to strengthen their hands.

The Rev. Erskine Hill argued for greater Lay recognition in the Councils of the Church. He suggested that they should graft upon thier system kirk-sessions, presbyteries, synods, and assemblies, and be not one whit less Catholic and far more Scottish than they were at present.

After other speakers had been heard, *the Conference was brought to a close.*

III. *The Bishop of Salisbury's Sermon.*

There was also *another important pronouncement* concerning the Lay Claims made in connection with this year's meeting of the Representative Church Council. *The Bishop of Salisbury* preached a noteworthy and suggestive sermon[o] on the subject in S. Mary's Cathedral on the evening of October 10th. No short summary can do justice to this discourse, but we give the following:—

The text was Eph. iv. 11 to 13 (R.V.). After (1) an introduction dealing with the great necessity of paying attention to *grammatical considerations* in the study of Holy Scripture, the preacher (2) *gave the sense of his text thus*:—"I do not refer to the slight change of translation, 'some *to be* Apostles and some Prophets,' etc. . . . But the aim and design of their Ministry, as conceived by God, is well rendered 'for the perfecting of the Saints[p] unto the work of ministering, unto the building up of the body of Christ.' Here, in fact, are not three duties of the clergy, but one duty of the clergy tending to foster and encourage the performance of two duties by the Laity. The duty of the clergy is to perfect or educate the Saints to perform two things for God—namely, to minister to their fellow-Christians and to build up the body of Christ. And then comes in the final issue—'till we all (i.e., all nations and all men) attain unto the unity of the faith and of the knowledge of the Son of God.'" "The clergy having infused a free and glorious life into the chosen

o S. G., 1900, p. 627. p There ought to be no comma after Saints.

people of God, . . . Christian laymen are first to take part in the work of ministering and building, and then to grow to a broader and more glorious perfection." (3) "We must first consider *the more definite Ministry, which belongs to the Clergy*." "The Clerical Ministry as here described is clearly of a double character. S. Paul views it as a ministry of special gifts or charismata, in which apostles and prophets take the lead, and also as a more common-place ministry of pastors and teachers. Evangelists, whose work is conversion, stand between the two, and partake of the character of both." "When S. Paul wrote, the gift of miracles was one of the principal signs that God had chosen a man to officiate in the Church." (4) We must also consider "*what change has taken place in the Clerical Ministry*. . . . Another method of choice (than miracles) was already (i.e., in S. Paul's time) being introduced—namely, that by the good sense and wisdom of the Christian people—a method, beginning, as in the Acts, with the Deacons, going on to the Presbyters, and ending with the Bishops." "We have therefore evidence of a great *advance on the part of the Laity*, showing that a portion of S. Paul's imaginative forecast has already been clothed with reality." (5) "Keeping these leading facts before us, we may well ask whether S. Paul's words do not *encourage us to look for a further advance on the part of lay people?*" "It is, I think, a great mistake to suppose that what was fit and proper for laymen in one age is necessarily the limit of their functions and duties in all time. It would be to distrust God's Holy Spirit to doubt that on the whole a permanent Christian Society, with inherited Christian graces, instincts, and experiences, is much more capable of corporate action than one (like the ancient Church) drawn by conversion from the mass of heathenism outside." (6) *A supposed proof of the superiority of the ancient Christians*:—their courage even to martyrdom in persecution. *But, first,* "I do not doubt that our own contemporaries would show quite as large a proportion of men and women ready for martyrdom as the age of Decius or Diocletian. Indeed, we see it in China at this moment amongst Europeans and natives alike." And, *secondly*,

"The test of martyrdom is not a sufficient one, since the Confessors of the age of Cyprian, instead of being a help to Church government, were as frequently as not a hindrance to it." (7) *Actual proofs of the greater fitness of the present-day Laity for government.* Here the Bishop enlarges at length upon each of the following points:—"Experience of the making and working of laws; Self-control in private life; Reverence for holy things; Knowledge of Holy Scripture," and adds—"In all these points I believe the average layman of to-day to be more than equal to the layman of any previous generation." "It therefore *clearly seems part of God's design that he should now take a correspondingly greater part in the double work of that ministry and building, which lies before him.*" (8) "As regards *Ministry*, a study of Church History shows that the reformed Churches have, curiously enough, tended to be stricter in asserting clerical rights than the ancient Church was." The Bishop then goes on to show this in connection with the following:—The Ministry of the Word; of the Sacraments (e.g., Baptism); the Ministry of Reconciliation; of Anointing the Sick; Marriage: "Thus the work of ministering, of which S. Paul speaks, is not merely that of temporal but also of spiritual needs; it embraces, at any rate, on proper occasions, the Ministry of the Word and of those Sacramental acts, joined with solemn prayer, which may be called for under stress of circumstances." (9) "What, then, are we to say of the *building up* of the body of Christ, the second of S. Paul's lay functions?" "We must remember two things—first, that according to all Anglican Theology, *the after-consent of the Church*, i.e., of the people of God, *is necessary to the validity of any dogmatic decree of a Council*; and, secondly, that the field of open questions is not nearly so broad as it was in the great conciliar centuries. *Would it not be safer to secure the general consent of the Church to such dogmatic utterances as may now be necessary, at once, instead of afterwards* by a long and uncertain process?" "The consent of a body of representative Laymen would not hinder but help any such minor theological definition, as a provincial Church would be competent to utter." (10) The last

points on which the Bishop touched were "discipline and ritual."

After such a Conference and such a Sermon, it was impossible for anyone to ignore the fact that the *controversy on the Lay Claims, which had slumbered for so long a period, had now re-awakened*, and that it could no longer be looked upon as a mere matter of esoteric interest by the initiated few, but must immediately be taken up by the "profanum vulgus" as well.

CHAPTER XXV.

The "Laity Committee," 1901.

The subject, having been ventilated by the Conference and by the Bishop of Salisbury's Sermon, was not allowed to fall into oblivion by those, who had taken it up. On the contrary:—

(a) "At[q] an informal meeting held in Edinburgh during the sitting of the Representative Church Council of October, 1900, *those present* (of whom 13 were Clergy and 7 Laity) *formed themselves into a Committee*, with the object of taking steps to have the claims of the Laity to a share in the legislative action of the Episcopal Church in Scotland considered and dealt with in some practical way at an early date."

(b) "Though (as they explained) some among the Committee would be prepared to go further in this matter than others, yet all are agreed that at present the Laity do not possess that position with reference to Church legislation, which in the interests of the Church they ought to hold. *The aims of the Committee are* (a) to secure such support from the Clergy as will ensure that the subject will be dealt with at an early Provincial Synod; and (b) to entrust to a sub-committee the preparation of a statement, which will place the facts before the Church in such a way, and with such suggestions, as will facilitate a settlement."

(c) This Committee soon received the support of a powerful ally. The *Bishop of Edinburgh* (Right Rev. J. Dowden, D.D.) on February 8, 1901, *addressed an open letter*[r] *to Mr Norfor*, the Secretary of the newly-formed Committee, *in which he expressed warm sympathy with the movement*:—

(a) He began, as a Bishop, who might have before long to deal judicially with the matter, by "hesitating to attach his name to the Memorial." "On the matter of expediency,"

[q] S.G., 1901, p. 52. [r] p. 87.

he added, "I desire to keep an open mind, and I am anxious to keep an open ear for all that can be, or will be, said by way of argument in opposition to a proposal, which I consider altogether reasonable." He then went on (b) to adduce *the causes, which led him to consider the proposal reasonable.* They were as follows:—(1) The light thrown on the matter by many years of the *study* of it. (2) The Declaration of the Scottish Episcopal Synod of April 20 1852. (3) The rights granted to the Laity in all branches of the Anglican Church overseas. (4) The fact that even in England "there is all but absolute unanimity in the acceptance of the principle that the Laity must have representation in the Church's Legislative Assemblies. (5) "The great value of such men's counsel (on a very large proportion of the subjects that came up from time to time for legislation in our Provincial Synods)," as have joined the Committee. (6) "The admission of the Laity to Synods could, of course, in no way deprive the Bishops of their right, should the occasion arise, of meeting heresy or grave doctrinal error by a pronouncement as to the faith of the Church." (7) He contended that there was as much ancient precedent for the admission of the Laity as for that of the lower orders of the Clergy. (8) "It is much to be desired that the masterly letter of Mr W. E. Gladstone to Primus W. Skinner in 1852, arguing with remarkable force and cogency for the admission of the Laity to the Synods of our Scottish Church should be reprinted and widely circulated." (9) The Representative Church Council, to be sure, "has proved itself invaluable," but firstly, "if it at any time strays beyond the circle of matters of finance, it exceeds its constitutional powers"; and, secondly, "the Canon by which it was called into existence could at any time be hustled from our Code, without so much as our saying 'by your leave' to the lay people." (10) "There is a very large number of questions, dealt with in the Canons of the Church, which concern the lay members quite as much as, or indeed even more than, they concern the Clergy." (11) "But apart altogether from the consideration of the gains, which the presence of the Laity would yield to the weight of the decisions of Synods, there would

be, as I take it, a very real gain in attaching to us more securely many, who from time to time are under temptation to regard too lightly the claims of the Church in their allegiance." (12) For example, "the finance of the Church would in my opinion be favourably affected." *Lord Kelvin*,[s] too, "was entirely in favour of the movement, though he did not see his way to join the Committee." *The Bishop of Glasgow*[s] (Right Rev. W. Harrison, D.D.) actually did so.

(d) Thus fortified, *the Committee met*[t] in Edinburgh on February 14th. *Mr John A. Spens* occupied the chair, and announced that "the Committee included over one hundred clergymen and about the same number of laymen." Apropos of the Bishop of Edinburgh's Letter, he said that in 1896 he had written to Mr Gladstone "asking if he still adhered to the opinions published in 1852, and had got the following reply—'I fully adhere to the general view expressed in the tract, written so many years ago, to which you refer.'" Though a strong advocate of the Lay Claims, Mr Spens wished it to be understood that he "quite endorsed the view that the Bishops should have the control suggested by Mr Gladstone as a safeguard against improper or hasty legislation." In conclusion, Mr Spens said, *first*, "that *the Bishops should be approached at once*, and, *second*, that *a good working Committee, not too large, should be appointed* to consider the different views, and to endeavour to formulate a satisfactory scheme." After discussion, both of these points were agreed to.

(e) Accordingly, *the Sub-Committee*[u] *set to work and produced a Report* in June,[v] the crucial paragraph of which is as follows:—"*That the powers of the (Representative) Church Council should be enlarged to enable it, when expedient, to discuss any question* affecting the welfare of the Church; but, so far as such questions do not pertain to fin-

[s] p. 121, [t] p. 119-120.

[u] Very Rev. Provost Ball, Dean Skinner-Wilson, Revs. G. Grub, P. M. Herford, T. Lennie, Canon Low, Angus Mackay, Canon MacLean, Messrs F. Darwin, J. B. Don, J. Haldane, R. T. Norfor, Walter Shepherd, John A. Spens, Convener; F. W. Moore, Sec., and Sir Reginald Ogilvy.

[v] S.G., 1901, p. 390.

ance, subject to a veto on discussion by the majority of the Bishops, and also subject to the further proviso that no resolution not pertaining to finance shall be binding, unless enacted by competent authority. (The object of this recommendation is to secure that the opinion of an Assembly representative of the Church may be got on the various questions affecting the Church, which from time to time become of importance, and also that there may be a means of ascertaining, if wished, the feeling of the whole Church, on proposals to alter the law, before these proposals take definite shape.) The Sub-Committee further recommend that it may be made matter of Canon Law that, before the Provincial Synod finally amend or alter the Canons, *the nature of their proposals shall be made known to the Representative Church Council*, and the Council be given reasonable opportunity of expressing its opinion thereon, before the same are finally enacted."

(f) The "Scottish Guardian" remarked on this Report:—"We[w] may venture to hope that the scheme now before us will be, at least in its broad outlines, *generally accepted*."

(g) "*A meeting*[x] *of the general Committee* was held in Edinburgh on June 27th, Mr Spens in the chair. After discussion, in which the Dean of Edinburgh (Skinner-Wilson), Canons Cowley-Brown, Low, and MacLean, Mr Dunderdale, and others took part, it was unanimously *resolved* "That the Report of the Sub-Committee, and the memorandum annexed thereto, be transmitted to the Bishops." "It was further resolved that the Bishops should be asked to receive a deputation on the subject."

(h) "After[y] the election of the Primus (Bishop of Moray, Right Rev. J. B. K. Kelly, D.D.) on Thursday, August 29th, *a deputation from the Laity Committee waited by arrangement upon the Bishops* in the Chapter House of Edinburgh Cathedral for the purpose of laying before them the Report of the Committee regarding the Laity in relation to legisla-

w p. 393. *x* p. 416. *y* p. 550.

tion for the Episcopal Church in Scotland. The newly elected Primus presided, and all the other Bishops were present, along with Mr W. Roberton, S.S.C. Lay Clerk. Mr John A. Spens headed the deputation (consisting of nine of the Sub-Committee). Mr Spens submitted the Report. Several members of the deputation spoke, and in reply to questions explained very fully the opinions of the Committee. At the conclusion of the Conference the Primus, in the name of *the Bishops, promised to give the Report and the remarks of the deputation their most careful consideration.*

(i) It was not to be expected that such a movement as the foregoing should take place without leaving its mark in the *Correspondence columns of the* "Scottish Guardian," and accordingly during the course of 1901 there appeared letters *on both sides of the subject.* The Revs. W. H. Winter, A. Horsburgh, and Mr G. Lamb wrote in favour of conceding the new Lay Claims, and the Revs. W. L. Mackintosh, and P. A. Lempriere, together with J. C. and A. H. argued on the opposite side.[z]

(j) While the Lay Claims for some voice in legislation were being thus vigorously advanced, the other branch of those Claims, that, namely, for *the right of the Laity to assist the Clergy actively in parochial and mission work, was not altogether forgotten* during this year. A stimulating paper, which afterwards appeared in the "Scottish Guardian"[a] and as a Pamphlet, and was entitled "The Laity and Church Extension," was read before the Brotherhood of S. Andrew by Mr *F. W. Moore.* From this we extract only a few sentences:—"It makes me desperate to see the terrible condition of our towns and to feel that we are doing so little, when I know that there exists a power sufficient and complete to deal with the evils and remedy all of them." "As a general rule our Laity do not take an active part in Church work, and I believe that this is partly because they are sometimes not encouraged to do

z S.G., 1901, pp. 90. 170, 186, 154, 200, 107. a pp. 102-4.

so; partly because they art entirely workers on sufferance, without any recognised function or position, and partly because so much of the teaching in Church ends with observances and the passive or negative virtues—too much 'thou shalt not,' too little 'thou shalt.'" "The Church presents a great variety of opportunity, so that everyone may find work suitable for him. In administrative capacities; in music; in attendance to the comfort of worshippers; in finance; in teaching; collecting; visiting and prayer; in social reform; in promoting temperance, and better conditions of business and living — no one need be idle." "Can you be Christians by merely listening to sermons? It seems to me that only when the Christian begins to work does he become a living member of Christ's body!"

CHAPTER XXVI.

1901-2. The Laity Committee's Proposal in the Diocesan Synods and the Press.

The "Scottish Guardian" thus summed up[b] *the essence of the Laity Committee's proposal.* It said that it "consisted of two distinct enactments. *One* provided for *the formation of public opinion before the stage of legislation* is reached, by the arrangement that Clergy and Laity should together discuss proposed alterations in the Canons, while such proposals were in a fluid state. Thus public opinion, whether of Clergy or Laity, would be educated." "*The other* part of the scheme of the Laity Committee provided for *the finding out of the opinion of the Laity and Clergy*, jointly and severally, *on alterations in the Canons, that had already been made provisionally* by the legislative Synod, before such alterations were finally enacted by it." Moreover, "as the Laity Committee, after much consultation think, it is *the Representative Church Council*, sitting, we presume, in special session, before or after it has gone through its ordinary business, that *is the best body* for this education and investigation of public opinion."

I. *The Scheme in the Diocesan Synods.*

It at once became obvious that a scheme of this character having been formulated by an influential body of Churchmen, and the Episcopal Synod having promised to give it their best consideration, it was necessary that *the several Bishops should proceed to take the advice of their constitutional counsellors, the Clergy in Diocesan Synod assembled.*

[b] p. 573.

Accordingly *these seven bodies met* in due course, and the following is a bird's-eye view of their proceedings:—

(1) On November 7th there was a session of the Diocesan Synod of *Edinburgh*.[c]

(a) *Their Committee reported that they were in favour of the Memorandum*, which had been issued by the Laity Committee, as against an alternative proposal, which has been mooted, of creating a third or Lay Chamber of Provincial Synod, and giving it power to meet as a seperate lay assembly, when the Synod is not in Session for the purpose of discussing questions affecting the Church, and proposing subjects for legislation." (b) *Canon A. J. MacLean moved "That the Synod approve generally of the Memorandum of the Laity Committee."* This he supported in a long and able speech, in which he spent some time in making clear of what the Committee's scheme really consisted. He also showed *its advantages*. For *one* thing *it united two opposite parties*. For, when the Committee was formed, "at once it was found that there were two opposite trends of opinion. One party desired equality of powers in all matters for Bishops, Presbyters, Deacons, and Laity. Another party felt that, if the Laity had a decisive veto on doctrinal questions, the fundamental organisation of the Church would be altered, and they had no right to do that." "There was a great deal of conciliation on both sides, and the result had been a happy one. So, as a compromise, they evolved the scheme, which was before them," i.e., the refusal of legislative powers to the Representative Church Council but its establishment as a Consultative Body. A *second advantage* of this scheme appeared to him to be that "a great difficulty was avoided, namely, that of determining what was, and what was not, doctrinal." A *third advantage* was that "under the proposal (not only the Laity but also) the Clergy at large would have an opportunity of expressing their opinion, and the Provincial Synod would be bound to consider, though they

[c] p. 731-4.

were not bound to give it effect." Canon MacLean then *went on to argue under five heads against the alternative proposal* of adding a third or Lay Chamber to the Provincial Synod. *Firstly*. It would draw away many earnest Laymen from the Representative Church Council. *Secondly*. "If the Laity always sat separately they would never hear the other side." *Thirdly*. The Laity sitting in one central body would have an undue advantage over the Clergy, who were to sit divided up into seven Diocesan Synods. *Fourthly*. "The undesirability of multiplying organisations." *Fifthly*. The scheme of a House of Laymen "was wanting in finality: they would in the end require to have equal rights with the Clergy and Bishops. (c) *Canon Murdoch opposed the motion*: "the matter had only been before them in newspapers: some of them never read those things: it had come before them in no authoritative way: he moved that "it is not desirable that the Synod should pass any resolution till the matter be more fully before the Dioceses of the Church." (d) *Dr Hoernle* moved that *no reconstruction would be satisfactory, which did not frankly admit the equal rights of the Laity in the Councils of the Church*. (e) This elicited an ample reply from *the Dean* (Skinner-Wilson), who ended thus:—"If the extreme view advocated by Dr Hoernle was pressed by this Synod upon the Church, then he thought the result would simply be that, instead of getting any extension of rights to the Laity, they would remain in the exact position which they had occupied since 1811."

In the *Vote Canon MacLean's motion was carried* over Canon Murdoch's by 38 to 7; over Dr Hoernle's by 44 to 2; and was finally carried as a substantive motion by 45.

(2) The Synod of *Glasgow* met[d] on the same day (November 7, 1901). The Synod Clerk (Canon Low) moved *that they give a general approval to the suggestions*. Rev. R. *Howel Brown* opposed giving their approval to Mr Spens's Committee's proposals. Rev. *W. J. Wilson* moved that

[d] pp. 753-4.

the Diocesan Synods should remain, as they are at present, exclusively clerical bodies, and that the Representative Church Council should have to deal with the matter of finance only. *Vote*, Mr Howel Brown's motion was carried against that of Mr Wilson, and *the Synod Clerk's was carried* against Mr Howel Brown's by 24 to 22.

(3) "The[e] question of granting further powers to the Laity in the deliberations of the Church was considered at great length by the Diocesan Synod of *S. Andrews, Dunkeld and Dunblane*. It was before them at no less than five sessions, held respectively on Oct. 25, 1901, Jan. 2, 1902, Apr. 16, 1902, May 22, 1902, and Dec. 2, 1902." They hoped to devise a scheme of their own; but, notwithstanding their prolonged labours and the good feeling which prevailed, the differences of opinion were so great that it was impossible for them to outline a plan which was more than half-complete. (a) On Jan. 2, 1902, Canon Farquhar moved *that this Diocesan Synod approves in principle of the desire expressed in the Memorandum by the Laity Committee*, to the effect that the laws of the Church be so amended as to give the Laity further opportunities of discussion and counsel in matters other than financial. And this was *carried unanimously*[e] after a good deal of discussion. (b) But when the same speaker moved in favour of recognising *the Representative Church Council as the organ of the proposed lay discussion, he was defeated* by 13 to 8, the majority being in favour of a motion by Canon Meredith to the effect that this Synod disapproves of the suggestions of the Committee on the relation of the Laity to the legislation of the Church, and adopts the suggestions made by Dr Grub and others." (c) Having therefore agreed unanimously that the Laity ought to have increased powers, and rejected the Representative Church Council as the proposed consultative body, *the Synod now felt it on its conscience to propose a means* by which effect should be given to the Lay request for further powers. And it was here that their difficulties began. They started off by agreeing, on the motion of Canon Meredith, that the further powers granted

[e] S.G., 1902, pp. 39, 40.

to the Laity should *associate them with the Synods and not with the Councils*[f] and then that the Laymen who should be so associated were to be the Lay Electors. (d) Here the January Session left off. But what was to be the position of the Lay Electors in the Synod? Were they to have *the right to speak?* The Synod replied unanimously in the affirmative on April 16. They were also to have a second chamber to debate in when either they or the Clergy desired to be alone. But were they to have the right of voting? On April 16 eight voted an affirmative and eight a negative answer to this question. They tried again on May 11th, but again eleven voted affirmatively and eleven negatively. (d) So that *the upshot* of all the conscientious and laborious debates was only this, that the Synod were clear that the Laity ought to have increased rights in connection with legislation. Their increase of rights, however, should merely consist of this, that instead of such Laymen as should please to be present at Diocesan Synods having the right to speak, with the leave of the Bishop, *the Lay Electors should have the double right of being present and speaking*, while the rest of the Laity should merely have the right of being present.

(4) *The Synod of Argyle and the Isles* met on January 29th.[g] Owing to a severe snowstorm, there was a very small attendance.[h] (a) The Dean (Pressley-Smith) moved that "*the Synod approve of the principle of the desire expressed by the Laity Committee*, to the effect that the laws of the Church should be so amended as to give the Laity further powers in relation to legislation." He supported his motion by a very clear review of the past history of the Lay Claims in Scotland. (b) *In opposition, the Rev. E. G. Little* moved that the Code of Canons already made sufficient provision for the expression of the voice of the Laity. (c) *The Dean's motion was carried* by 4 to 3. (d) The Dean then moved further *against* the larger powers being given through *the Representative Church Council* and in favour of this being done through the Synods, Diocesan and Provincial. This also was carried. (e) As was also a third motion to the effect that the lay electors in each

f p. 40. *g* S.G. 1982, p. 83. *h* p. 277.

Diocese would be the best representatives in the Diocesan Synods, but agreement was not reached with regard to the lay representation in the Provincial Synod.

(5) *The Synod of Aberdeen and Orkney* met on April 4th.[i] (a) In introducing the subject *the Bishop* (Douglas) *said*:—"I consider the Representative Church Council as wholly and entirely inadequate for performing any such functions as were now suggested." (b) The veteran *Rev. John Comper moved that Canon XLV. remain unchanged.* He supported this in a long speech, from which we quote the following:—"What is the need of any legislation on the subject? The Laity have an equal—yea, and I venture to think, paramount—influence in the general administration of Church work within the Representative Church Council, both in the administration of Home Missions, including missions to the fishers and rescue work. They possess also in Foreign Missions a valued and powerful influence in the organisation and direction of the same, as well as in the details of Educational work. In all these matters their help is most valuable and much appreciated by the Clergy. And more, we heartily welcome them as licensed Readers and general helpers in mission and all parochial work. Would they seek the Priesthood also?" (c) Mr Comper's motion was seconded by the *Rev. J. M. Danson,* D.D., who began with an interesting Diocesan retrospect of the question during the last 32 years. He then said, amongst other things:—"There was *no body which he could think of so utterly unfitted for such a purpose as the Representative Church Council.* It was elected for an entirely different purpose. He trembled to think of what would be the moral effect of the submission to such a body of questions, which they were utterly unfitted to decide." (d) The *Rev. George Sutherland* expressed himself in quite a contrary sense to Dr Danson, and moved *f* that the Synod adhere to the proposal made by the Laity Committee to the College of Bishops. (e) He was supported by the venerable Dean (Walker), who said:—"I am one of the two who moved and seconded the motion in 1870 to admit the Laity, and we

i S.G., 1702, p. 236.

were beaten, I think, by about 14 to 10. I thought it very sad at the time that that should have happened, but very soon afterwards the Representative Church Council was appointed in order to do what was proposed to be done by admitting the Laity into Synod. That Council had been most successful, but their very success was an argument for admitting the Laity into Synod. They saw how reverently, and generally wisely and soundly, the lay members of that Council discussed all matters. (e) *Mr Comper's motion was carried* by 22 to 7. (f) The Synod Clerk (J. Wiseman, D.D.) then saved the Synod from absolutely refusing to do anything, by proposing that, being "*anxious* in every way consistent with the principles and constitution of the Church *to secure the assent and co-operation of the Laity* in the ordering of its affairs . . . this Synod represents to the Bishops of the Church *the desirability of having a clear and definite scheme of admissible changes formulated*, and of inviting the opinion of the several Diocesan Synods thereon." The voting upon this was—26 in favour and 7 against.

(6) *The Synod of Brechin* met on April 7th. Its trumpet gave no uncertain sound. Unlike the Synod of S. Andrews, with five long and laborious sessions, ending in a but half-formed scheme, it made up its mind decisively in the course of half-an-hour. *The Rev. F. Burdon moved that the Canons relative to the legislative action of the Church remain as they are.* In the course of his speech he said:—"The claim for the admission of the Laity must be regarded from two aspects —Was it admissible and was it expedient? If it was inadmissible, no question of expediency could be raised. He held that it was inadmissible, basing his argument upon the pamphlet published by Bishops Forbes, Suther, and Wilson in 1873, and noticed in Chapter XVI. Sec. 2 of this present work. He was seconded by Rev. J. Christie. The Synod Clerk, not finding a seconder for his motion of a direct negative, supported though it was by some cogent arguments, *Mr Burdon's motion speedily became the finding of the meeting.*

(7) The proceedings of the *Synod of Moray and Ross* do

p. 248.

not seem to have been reported to the "Scottish Guardian," but in a leading article[k] the Editor says:—In Moray the numbers were not stated, but *a motion advocating no change was carried* against a motion supporting the Laity Committee's scheme by a majority of one."

The general result, therefore, of the reference of the question to the Diocesan Synods was as follows:—

In favour of some additional powers being given to the Laity, 5, i.e., Edinburgh, Glasgow, S. Andrews, Argyle, quite clearly, and Aberdeen somewhat hesitatingly.

Against, 2, i.e., Brechin and Moray.

In favour of the Laity Committee's proposal to make the Representative Church Council the vehicle of the enlarged powers, 2, i.e., Glasgow and Edinburgh.

Against, 5, i.e., S. Andrews, Argyle, Aberdeen, Brechin, and Moray.

Upon the whole therefore[l] *the advice given by the Diocesan Synods to the Bishops was to grant the Laity additional powers, but not to do so through the Representative Church Council.* So much, but no more, counsel was afforded to the Right Rev. College. There was complete absence of agreement amongst the Presbyters as to a constructive scheme of Lay Representation.

II. The Scheme in the Press.

It will hardly be supposed that, while the matter was passing through the Diocesan Synods, *the correspondence columns of the "Scottish Guardian"* would be free from signs of the controversy. A good many letters appeared, and of these we now proceed to give some account:—

(a) There was a lively *correspondence between the Rev. A. Horsburgh*[m] *and the Rev. P. Lempriere, LL.D.* As, however, this had less relation to the practical proposals which were now before the Church than to the more abstract point of the essential nature of Priestly and Lay rights, we shall

k p. 277. *l* For summaries of the Diocesan Synods, see S.G., 1902, pp. 277, 583.
m For Mr H., see pp. 70, 330, 362, and for Dr P., pp. 314, 347.

not at this stage go fully into it. *Mr Horsburgh's position* may be judged of by the following extract:—"I believe that the clerical position is ecclesiastical rather than directly Divine and I would only withhold doctrinal matters from the Laity out of deference to the opinion of such of the clergy as believe in the directly Divine character of the ministry."[n] *Dr Lempriere's position* will be clear from the following quotation[o]:—The proposition that the Bishops alone are by Divine right the rulers of the Church will be found to rest on Holy Scripture, and to be confirmed by the constant practice of the Church and the teaching of the Fathers and, what some may consider of greater importance, of the great Anglican Divines."

(b) The proposal of the Laity Committee found an active and able champion in the *Rev. Canon A. J. MacLean* and a determined opponent in *Rev. P. Lempriere*. *Canon MacLean* began operations by contributing *an article*[p] *in defence of the Laity Committee's scheme* to the "Scottish Guardian" of Jan. 31st, 1902. "My object," he said, "is to explain more fully than has yet been done *the five reasons* unanimously agreed to by the Committee *for adopting the scheme* which they have submitted:—*First*, want of finality in the scheme for adding a Lay Chamber to the Provincial Synod. Can anyone conceive Laymen being content with this inferior position in Synod? *Secondly*, formation of public opinion. What can be worse for this than a body which always sits alone (remember there is no permanent House of Presbyters), and which never hears the other side? You will get indeed the undiluted voice of the Laity, but it will be the undiluted voice of one who listens to only one side of the question." "Surely, for the formation of public opinion, the ideal is a body [such as the Representative Church Council], where Clergy and Laity from all parts of Scotland meet together to exchange views." *Thirdly*, Injustice to the Clergy of the House of Laymen scheme. The Laity would meet in a single House, whenever they thought fit. The Clergy can only meet in seven separate Diocesan Synods. "The only corol-

[n] p. 70. [o] p. 315. [p] p. 69.

lary to a permanent House of Laymen is a permanent House of Presbyters. *Fourthly*, Injustice to the Representative Church Council. So powerful a body as a permanent House of Laymen would almost necessarily draw away the best members of the Church Council. *Fifthly*, Danger of multiplying organisations. Canon MacLean then went on to *answer objections* against the Church Council. It was *not a mere ecclesiastical bogey*, as they could testify "who knew the earnestness of the Laity working in the Council. Then it was *not too big*. On the contrary, a small picked body would not be sufficiently representative. It was *not, as a matter of fact, merely a financial body*. It dealt with Temperance, Missions, etc. "The objection to the Representative Church Council on acccunt of its miscellaneous nature applies with equal force to the Lay Electors." *In conclusion*, "I venture to ask all Churchmen to make up their minds on the fundamental question—Equal Rights [i.e., in the Synod][q] or a Consultative Body [i.e., Representative Church Council]? I cannot but think that any difficulty that has arisen has come from this fundamental question not having been first settled." "If the Committee's compromise, which unites all parties [i.e., Sacerdotalists and anti-Sacerdotalists], be rejected, the floodgates of strife will be opened."

Canon MacLean was *answered by Dr Lemprierer* to the following effect:—(1) "It is too often taken for granted that the great bulk of the faithful Laity are keenly anxious to see the proposed scheme adopted by the Church. There is, however, good evidence that a considerable number of our communicants dislike these proposals intensely, while a great number are content to leave things as they are." . . . *That those in favour of the Laity Committee's scheme "are more than a very small minority requires demonstration."* (2) "The Laity Committee speak of these proposals as a compromise. I venture to submit that the question whether laymen should have an effective voice in making, etc., Canons concerning the doctrine, discipline, and worship of the

[q] I have inserted the words within brackets to compensate for many whole sentences omitted, G.T.S.F. [r] S.G., 1902, p. 120.

Church, is *not one which admits of compromise.* . . In the *first* part provision is made for permitting the Representative Church Council to discuss and pass resolutions concerning any ecclesiastical matter, subject to a veto by the Bishops. This is an *excellent* proposal. . . But when we look at the *second* part of this scheme, we find that it is *most objectionable.* The Bishops are requested to enact at the next Provincial Synod that thereafter no change shall be made in the Canons, unless the alterations contemplated shall first have been submitted to the Representative Church Council, which may propose amendments and pass resolutions without any restraint. To many of us, who hold that the Bishops alone have the right to govern the Church of God in spiritual things, this seems a most dangerous proposal." [Upon this point he enlarges.] (3) "The proposals of this Laity Committee have an able advocate in Canon MacLean. To deal with them one by one would require a letter of such length that one could neither expect you to insert it nor imagine that your readers would peruse it."

Canon MacLean rejoined by sending three further communications on the subject to the "Scottish Guardian."[s]

(c) *Mr John A. Spens also wrote*[t] *in defence of the Laity Committee's scheme.* (1) Reviewing the situation, he said:—"A majority of the Clergy have (i.e., in the Diocesan Synods) *pronounced in favour* of giving some voice to the Laity on legislative proposals." (2) Summing up the points which he desired to secure for the Church, he mentioned three, i.e., "Before alterations are made in the law, *timely and full notice* of the changes proposed shall be given to the whole Church.' "Before proposals to alter the law are definitely made, *opportunities for full discussion* of the whole subject should be afforded." "By means of such discussions *to arouse in the Laity a feeling of responsibility.*" (3) "How can reformers best achieve these objects? I answer, *By adopting the Committee's scheme.*" (4) "It is clear that acceptance of this involves *no sacrifice of principle*, for in the end it conserves to the Clergy all they claim as of right."

[s] p.p. 137, 153, 251. [t] p. 265.

(5) *The advantages* are on the surface. No other body than the Representative Church Council can so well and so easily get at the pulse of the Church at large." (6) "The only *objection* of a grave character that I know of is that the members of Council are unfit for the duty. But I regard this as a libel. I believe that in these men we will find the highest level of qualification that can be got. The Council has never failed to rise to a high level of tone when dealing with a high or spiritual subject." (7) "It is said, make a *a separate House of Laymen* . . . but they are for the most part the same men, who are members of Council." (8) "I would make an earnest *appeal* to all desirous of seeing this question settled to unite in supporting the Committee's scheme."

Mr Spens, too, was answered by *Dr Lempriere*,[u] who selected for animadversion two points omitted in the above summary. He said:—"(1) *Mr Spens* alludes to the fact that our Church is the only part of the Anglican Communion, in which the Laity have no voice," *but* Dr Pusey's "Councils of the Church," p. 25, and the resolution of the Diocesan Synod of Aberdeen, in 1882 shew that the Laity ought to have no such voice. (2) Mr Spens says "two-thirds of the Canons deal with matters secular." *Answer*:—"I do not know on what principle the calculation was made: 40 of the 51 Canons, so far as I can see, affect the Laity not at all or only very indirectly." (3) "Mr Spens makes much of the fact that under the proposed scheme the final voice in legislation will rest with the Clergy." "That may be," replies Dr Lempriere, but *obsta principiis*. (4) "Mr Spens characterizes those who object to his scheme as opponents of reform. I strongly object to this."

(d) We may here group together *several other writers of letters* to the Editor. The *Rev. G. L. Duff* suggested posting copies of proposed changes in the Canons on Church doors in order to elicit the mind of the Laity. *Mr Z. Junks* regretted the decision arrived at by the Brechin Synod,[v]

[u] p. 275. [v] p. 251.

Canon Meredith expressed himself in a sense adverse to the Laity Committee's proposal,[w] and *F. W. M.* criticised the half-formed scheme of the S. Andrew's Synod. He objected to introducing the Lay Electors into the Diocesan Synods and upheld the proposal of the Laity Committee.[x]

[w] p. 296. [x] p. 434.

CHAPTER XXVII.

1902. THE REPRESENTATIVE CHURCH COUNCIL CONSULTED

According to a calculation[y] made by Canon Maclean "from the Reports furnished by the Synod Clerks, it appeared that there had been amongst the clergy a majority of two-thirds—that was, roughly speaking, 114 to 61—in favour of change of some sort," in the direction of granting additional powers to the Laity. With regard, however, to the particular form which the change recommended by them should take, "the Diocesan Synods had been wonderfully divided." The Bishops were, in fact, advised by their Presbyters to go on, but, provided they did not end in the Representative Church Council, *they were left to themselves to select their own route*:—

I. *Proposal to consult Church Council and Objections thereto.*

(a) *The consequent step*, to which the Right Rev. College inclined, was disclosed at a meeting of the Executive Committee of the Representative Church Council held on April 30, 1902.[z] At this *the Primus* (Kelly) said that "what he had to propose was simply this, that it be an instruction to the Sub-Committee, who prepared the business for the next meeting of Council at Dundee, *to place on the Agenda a resolution which would bring up the recommendations of the Laity Committee as to the enlargement of the powers of the Council for discussion at the Council itself*." This was seconded by *Mr Haldane*. "He said that the Primus was merely asking for a suitable place in the programme of the Council business for this important question. They were not

[y] p. 298. [z] p. 297.

going into any discussion of it, or expressing an opinion as to the merits of the case." The motion was strenuously *opposed by the Bishop of Aberdeen* (Douglas) both on technical grounds, connected with the proceedings of the Episcopal Synod and of the Executive Committee, but, more seriously still, as he said:—"The Diocesan Synods, at the request of the Bishops, had given a decided and distinct opinion on the question, and it appeared to be that, by the action they were now proposing to take, they were going behind all the Diocesan Synods." This amendment was seconded by *Rev. W. L. Christie*, but after considerable discussion *the motion of the Primus was carried* by 16 to 6.

(b) *This decision caused considerable excitement* in the Church, of which the correspondence columns of the "Scottish Guardian" shewed unmistakable evidence. *Canon Meredith*[a] wrote at once to ask:—"With all deference to the Executive Committee, is this a competent matter for discussion at the Council, under its canonical constitution for matters of finance only? Would it not be more correct to have the subject discussed at a Conference preceding or following the regular meetings of Council? *Dr Wiseman* asked:—"If a subject of such constitutional interest and importance can, as the law of the Church stands, be competently dealt with at the Council, it does not appear that any change in the law is much required." *The Bishop of Aberdeen*[b] exclaimed:—"For the Executive Committee to adopt a resolution brought forward without any notice on the Agenda paper, with the object of doing what Canon XLV. expressly prohibits, is in my opinion ultra vires and unconstitutional." To the same effect wrote the *Rev. J. Comper*:—"A more striking instance of lawlessness it seems difficult to contemplate!" *Canon Murdoch*[c] "did not think we were far from a crisis, which must determine the question whether the Episcopal Church of Scotland, boasting of its Evangelical doctrine and Apostolic Order, was true or not true to its Apostolic Ministry!" and the ever-vigilant *Dr Lempriere*[d] thought the Executive Committee had as clearly driven a coach and four through Canon XLV. as

[a] p. 296. [b] p. 314. [c] p. 347, [d] p. 596. [d] p. 277.

the Judicial Committee of the Privy Council had through the Ornaments Rubric by reading a 'not' into its affirmative statement!"

(c) But opposition took a more practical form than that of Letters to the Editor. A "*Memorial and Protest*" to the Most Rev. the Primus and the Right Rev. the Bishops of the Scottish Church was drawn up. It contained the following paragraphs:—"Whereas the Bishops, passing over the opinion of the Diocesan Synods, have advised the Executive Committee of the Representative Church Council, a mixed body of Clergy and Laity, to put the subject on the Agenda paper for consideration at the next annual meeting of the Representative Church Council, thus ignoring the opinion of the Clergy, given at their request, and appealing beyond them to the mixed Council, and Whereas the Representative Church Council is by Canon XLV. debarred from dealing with matters of discipline, and is thereby canonically incompetent to consider and discuss questions which fundamentally affect the Synodical discipline and organisation of the Church. We, the undersigned, respectfully *protest against the proposed reference to the Representative Church Council* as unconstitutional and uncanonical, and pray the Bishops to take such measures as may yet be possible to maintain the law and discipline of the Church."[e] This document was circulated, and, after being signed by about 70 Clergy, "presented to the Episcopal Synod, he'd in the Chapter House of Perth Cathedral, on July 9th."

(d) *The Executive Committee of the Representative Church Council metf again* on August 27th (1), and *the opposition*, headed by the *Bishop of Aberdeen* (Douglas), moved to have the vote, which was so obnoxious to them, *rescinded*. *The Bishop* said that, "if this motior were carried it would raise a strong feeling among a large portion, at any rate, of the Clergy throughout the Church that they were not being fairly treated." "He spoke simply and solely in the interests of peace, love, and quietness." He complained that the "Memorial

e p. 445-6. *f* p. 554-7.

and Protest had received no recognition. . . He was sure that the approaching meeting of the Representative Church Council would not be a happy meeting if this resolution was persevered in. Then they were approaching a far more important meeting, i.e., that of the Provincial Synod." He concluded by reading a letter which he had received from the *Bishop of Glasgow* (Right Rev. W. Harrison, D.D.), who said:—"I think the introduction of the subject at Dundee will hinder and not help the movement." The Bishop's *amendment was seconded by the Rev. W. L. Christie*, who said:—"If lay opinion was desired in the Church, it was to be elicited, according to the existing Canons, through the Synods." The amendment was also *supported by Rev. J. M. Danson, D.D.*

(e) And now for *the defence* after all this attack:—*The Chairman* (Mr R. T. N. Speir) said that "It seemed to him the first thing the Bishops required to know was *whether the Council wanted these powers*. As a member of the Council he himself did not want them, and he hoped the Council would tell the Bishops they did not, and then the whole thing would end. But, if the Council said they wanted these powers, then the Bishops could go to the Provincial Synod and say, What do you think of the proposal? So far, it seemed to him that *the action of the majority of the Bishops was eminently reasonable* in proposing to ascertain whether the Council desired to suggest modification of its constitution." *Mr Darwin* was clearly in favour of the Primus's motion. *The Dean of Edinburgh* (Very Rev. J. Skinner Wilson) pointed out that (1) "there was *no proposal whatever that the Church Council should settle the matter*. What the Primus had said was that he would like to *have the opinion of the Church Council* and of the laymen there, to guide the Bishops as to procedure." (2) He minimized the value of the findings of the Diocesan Synods. "Some of them had only four members present." (3) As to Canon XLV., it said "that the Church Council had no authoritative power in questions other than financial, but the Canon did not debar them from discussing these questions." *The*

Primus:—(1) "The Bishops, and the Bishops alone, had to place the matter to be dealt with by the Provincial Synod for legislation. Seeing that the proposal was that the Representative Church Council should have additional powers conferred upon it, the first question naturally that any one would ask was, *Does the Church Council want it?* Then there came to them representations that a certain number of lay members of the Church Council did not want the enlarged powers. How were they to ascertain how the case stood? *Surely common sense told them that they ought to ask the Church Council.*" (2) "And, as to the constitutional character of his motion, he was fortified in his own judgment by the opinion of counsel he had taken."

(f) On a show of hands *the Bishop of Aberdeen's proposal was lost* by 23 to 6, and the Primus intimated he would undertake to have the motion, asking the Representative Church Council's opinion as to the proposed amendment on its constitution, moved at the Dundee meeting.

(g) The re-affirmation by the Executive Committee of a finding, which had proved so obnoxious to a certain party, when it was first decided upon, *roused them to still further oppositions* which reached its high-water mark, when Canon Meredith exclaimed:—"I hope[h] an attempt will be made to clear up the meaning of the words 'deal with' in Canon XLV., and to proceed either to obtain an opinion in friendly arbitration, or to *move for an interdict to prevent this matter being discussed at the Representative Church Council.*"

II. *The Dundee Meeting of the Church Council.*

It is decidedly curious that, notwithstanding all this preliminary storm raised by the bare proposal to ask the Representative Church Council whether it wished to have its constitution modified in the manner suggested, *there was not a whisper of objection to the moving of the motion, when on October 16th the Council actually met in S. Mary Magdalene's Halls, Dundee.*[i] The whole meeting took the bring

g Letters by "Nemo," J. Wiseman, P. Lempriere, pp. 568, 582, 596. On the other side F. W, M., pp. 434, 583. *h* p. 582. *i* pp. 658, 663.

ing forward of the question placidly and as a matter of course:—

(a) In his *opening Address*[j] the Primus (Kelly) gave a lucid and conciliatory historical narrative of all the events connected with the controversy since the formation of the Laity Committee in 1901. As, however, the story of these events has just been given in these pages, beginning with ch. xxv., there is no need to reproduce his speech here.

(b) *Mr Spens rose to introduce the motion of the day.*[k] It ran as follows:—"That it is in the interests of the Church (1) To give the Church Council, subject to the veto of the Bishops, the right to discuss all questions affecting the welfare of the Church. (2) To require that before proposals to alter the law of the Church—that is, to amend the Canons—are carried into effect, the Church Council shall be given an opportunity of pronouncing an opinion on the amendments."

In support of this motion he confined his remarks to the consideration of the latter, as being the crucial, part of it. (1) "There is," he said, "a *strong presumption against the present state of our Church's law.* For no ordinary large society—nor even the two larger denominations in Scotland—allow their laws to be changed by only a few of their members." (2) "*The only suggested justification* for the present law is that it is claimed that the primitive principle of the Catholic Church require that legislative power should be entrusted to the Bishops, or the Bishops and Clergy, alone. *But this claim is denied.*" For this denial he then quoted the authority of Bishops Gore, J. Wordsworth, W. Ingram, and Dowden, Dean Walker, Conferences of Bishops, and then referring to the privileged position of the Laity in all other branches of the Anglican Communion, beyond seas, declared that "the Scottish Church cannot refuse to her people what the people of the same Communion enjoy all over the world." (3) "Yet, after all, this is not what we ask. We are cordially ready to accept a final settlement—if given now—on the basis of the Laity, through their representatives, *having a consultative voice only.*" (4) "As that is so, I can see *no*

j pp. 656-7. *k* pp. 658-9.

question of principle remaining." The proposal was a compromise, which left both sides free to entertain their own several convictions. (5) "I freely grant that the Laity Committee derived no Mandate from Church Court or Church authority. But I make bold to say that as a matter of fact *the Committee is as representative as possible*. In that state of affairs I think many in the Council will be prepared to accept their scheme as a practical settlement of the controversy." (6) "*It seems this scheme or nothing*. On certain possible alternatives I have said all that seems necessary on the leaflet," which I have distributed. (7) He then shewed that as all Canons, practical and doctrinal alike, *touched the Laity*, they ought to be consulted, and that "the reform we seek will secure all necessary publicity for changes in the Canons." (8) "*Then I look for more far-reaching legislation*. I do not hesitate to say that the law at present has no sufficient weight behind it to insure obedience, if any section of the Church disagree with it and in this alone I see a real danger to the unity and peace of the Church. Because of this the Clergy may justly hesitate at large reforms, which, nevertheless, are called for. The outlook of the Church (at large) is grave. . . . It will be well, should occasion arise for change in law to meet changed circumstances, if the legislature of our Church is so constituted that her enactments will receive the confidence, as they have obtained the assent, of the people." (9) "Right Rev. and Rev. Brethren, pardon my presumption if *I crave you not to lose the opportunity* to take this occasion by the hand and to remedy, in some measure at least, this grave fault of your people. Give them your confidence, call them to your counsels, not as a concession grudgingly yielded, but as a privilege generously conferred!"

The Dean of Edinburgh (Very Rev. Skinner Wilson) seconded the motion[l]. (1) "One thing," he said, "moved the Laity Committee very strongly, i.e., they felt that *their scheme did not transgress any possible principle of the Catholic Church*." To prove this he touched upon Acts xv.

[l] p. 659.

and S. Cyprian. (2) But they were not asking to give the Laity legislative power; "only that they might be allowed an opportunity of *expressing their mind* on legislation before it should be finally enacted by the Provincial Synod." (3) "It would be greatly *to the advantage of their legislative proposals* that they should be fully known and discussed." Absence of such provision militated at present against the efficiency of the Provincial Synod. (4) "He wanted further to emphasise the point as to *the Church Council being the most convenient body* to which to make this reference. It was, to begin with, an already established fact. "Then it had been a success; 'if they were to examine closely the progress of the Church since 1876, they would find that it was entirely due to the impulse, which the Representative Church Council had given.'" "It was most unadvisable to go and invent another piece of machinery for doing work which the Council was capable of doing."

(c) *Mr R. T. N. Speir rose to move the rejection of the motion*, and that they pass to the next business. (1) He "granted that it was right and desirable that they should have the opinion of the Laity before legislation was enacted." (2) "*But was this the best way of getting it?*" (3) "It seemed to him to be open to a good many *objections*." *First*, "the matter had been rather hurried upon them. . . . He believed this was the first time in his generation that the question had really been brought forward as a practical question. He begged for further time." *Secondly*, there was one thing he looked back to with great thankfulness, and that was the cordial co-operation of the clergy and laity in the Church Council. He confessed he was afraid, if this motion should be passed, there would be left behind a certain amount of distrust –(No, no!)—and perhaps that their harmonious working might not be so conspicuous in the future." *Thirdly*, "he thought the Church Council too large a body" to discuss delicate ecclesiastical questions. *Fourthly*, "the apathy of the Laity was great; but would this proposal, if carried out, remove it?" (4) "He knew that there was a large number of Clergy, who, though most anxious to get the lay opinion, yet did not approve of this resolution."

Rev. Canon Winter supported Mr Speir's amendment[m] (1) "He felt quite sure that the time had come to begin to give the Laity some further powers than they already possessed." (2) "The first part of Mr Spens's motion seemed harmless enough." (3) "But, when they came to the second, which virtually in his opinion would give the Laity the power of veto, it was evident that it was *dangerous*." (3) He would bring forward "*a counter proposal*." He agreed with the line attempted to be taken by the Diocesan Synod of S. Andrews. *They would find in Diocesan action, and not in the Church Council, the key of the whole position* in this most important question. He felt that, if the Laity had large power in the Diocesan Synods first of all, they would gradually learn to take much more interest. He was sure they would get rid of the apathy of the Laity by beginning in this way." "He was certainly afraid of a fully armed Pallas springing out of the head of Jove—that Jove being in this instance the Representative Church Council." "He looked forward himself to the enlargement of the Diocesan Synod as the source of real greatness. Surely they might call these Synods a kind of nursery of ecclesiastical polity."

(d) In the *general debate*,[n] which followed, the *Rev W. L. Christie* strenuously maintained that the apathy of the Laity was a reason against giving them any further responsibilities. *Canon Cowley Brown* "had a clear conviction in his own mind as to the inherent right of the communicant Laity to express their opinion on any Canon before it was finally enacted." *Mr F. Darwin* held that "they wanted the unadulterated opinion of the Laity and not that of a body like the Representative Church Council, which was made up of 322 Clergy and 305 Laymen. He therefore advocated the creation of a Lay House as at York." *Mr James Bruce* held that "the first part of Mr Spens's motion was reactionary and the second revolutionary—revolutionary, perhaps not in actual wording, but, when they came to the effect of it, it was so; for, if they once came to make a reference to the Church Council, and the Church Council pronounced on

[m] p. 660. [n] pp. 661-3.

one side of that reference, they would find themselves bound sooner or later to give in to the views of the Church Council." *Mr Bremner* denied Mr Christie's assertion that the Laity were apathetic in this matter. *Dr Beveridge* "contended that the proposal, if carried into effect, would tend to blur and obscure the very principles for which the Church at present stood in opposition to public opinion."

On a show of hands being called for, the vote resulted as follows:—

For the Amendment	150
For the Motion	128
Majority	22

The Representative Church Council had declared that it did not desire to have the proposed consultative powers, and the result was announced by the Primus amid loud applause.

CHAPTER XXVIII.

1903-4. Appointment of the Bishops' Commission.

I. The Appointment.

(a) At first sight the Dundee vote appeared to be a serious defeat for the Lay cause. And certainly it was so for the proposal to clothe the Representative Church Council with consultative powers. That particular scheme had now been rejected alike by the majority of the Diocesan Synods and by the Council itself. The Bishops consequently *dropped the plan*, and no more was heard of it.

(b) But much still remained. There was, *to begin with*, the advice given by the majority of the Diocesan Synods to the effect that some increase of lay power in connection with legislation was desirable. And, *in the second place*, the course of the Dundee debate itself pointed unmistakably in the same direction. For even the mover and seconder of the victorious amendment and most of the speakers who supported it, declared themselves in favour of an increase of lay powers. Thus it will be remembered that Mr Speir said[m]: —"He must admit that Mr Spens had a very strong case, but, granting that it was right and desirable that they should have the opinion of the Laity before any further legislation was enacted, the question arose, Was this (i.e., the proposal in connection with the Representative Church Council) the most satisfactory way of getting it?" Canon Winter[o] had said:— "I myself am not in the least in disagreement with the principles with which Mr Spens opened his most excellent speech. I feel quite sure that the time has come to begin to give the Laity some further powers than they already possess." And Mr Darwin[p] allowed that "he had listened to the argument of Mr Spens, in most of which he concurred,

m p. 659. *o* p. 660. *p* p. 661.

in regard to the desirability of greater powers being given to laymen to discuss matters connected with the Church." When, therefore, it was considered that that was the attitude of the leaders, who, by 150 to 122, had defeated the proposal of the Laity Committee at the Dundee meeting, it was evident that the real mind of the Representative Church Council was in harmony with that of the Diocesan Synods. It was evident that the advice tendered both from the one and the other to the Bishops was:—Although we object to the further powers under discussion being given to the Representative Church Council, yet *we recommend that some plan of giving increased influence to the Laity, in connection with legislation, be devised.*

(c) Omitting, therefore, more than a bare notice of *certain literature*, such as the "Report[q] of the Joint Committee of the Convocation of Canterbury on the position of the Laity," which was largely read at this time in Scotland; the article under the well-known initials A. J. M., in which that document was criticistd in the "Scottish Guardian,"[r] and in which an interesting letter by Canon Bright was published; a leading article[s] in the same Journal, in which two pamphlets on the Lay question were criticised; a pamphlet[t] by H. D. Henderson on "Lay Progress and Prospects," and a letter by R. Hutchison[u] in the "Scottish Guardian"—omitting all these, we pass on to record the action of the Bishops at the stage of the controversy which had now been reached.

It took the form of an exceedingly important step, namely, *the appointment of 15 Clergy and 15 Laity*[v] *as Commissioners*[w] *to enquire into the whole matter now* agitating the Church, and report. The terms of the Commission were thus defined:—(1) "To consider and report whether the existing organisation of the Church, as defined in the Code of Canons, affords adequate means for ascertaining the mind of the whole Church on subjects proposed to be dealt with by legislation in its Provincial Synod; (2)

q London S P.C.K., 1902.
r S.G., 1902, p. 793. *s* p. 793. *t* S.G., p. 649. *u* Ibid, p. 20., 1903.
v S.G., 1903, p. 158. *w* S.G , 1903, p. 158.

Should the present organisation be found deficient, to prepare a scheme to remedy the deficiency."

II. Criticism of the Appointment.

(a) *A protest* was made in the Synod of Brechin[x] against this step on the part of the Bishops. There, on April 22nd. the Rev. W. L. Christie moved:—"That this Synod respectfully places on record its sense of regret that the Bishops of the Scottish Church, after having received the opinion of the various Diocesan Synods of the Church, and after having referred (under protest) the matter to the Representative Church Council and received its decision, should have felt it necessary to refer the question of laity representation to a mixed body of Clergy and Laity with no canonical status and in no sense representative of the whole Church, instead of referring the matter to the Provincial Synod—the body canonically appointed to consider and decide this matter."

(b) *In support of this Mr Christie said*:—(1) "That he meant no disrespect to their Lordships the Bishops." (2) "He knew no body of men more competent to deal with such a matter than the Synod of Brechin. It was the one Synod in the whole Church, which, on the question of lay representation was practically united.[y] He felt that, after what the Synod did last year, they would be stultifying themselves if they did not protest against the unconstitutional agitators who had been moving in the matter of lay representation." (3) He then noticed *the reference of the subject to the Diocesan Synods and the Representative Church Council in Dundee*, and he declared that the answer which the Bishops had received therefrom, was that "What the Laity most dreaded was change, and what they least desired was increased power. . . . *Their reply was Nolo episcopari.*" (4) He proceeded:—"Accordingly the Bishops had created a new thing—*a Representative Commission.*" His *criticism* on this Commission fell under two heads. *First*, he said, it was "A Commission without authority or status and unrepresentative of the whole Church. A greater travesty

x S.G., 1903, p. 268. y cf. Chap. xxvi.

of ecclesiastical legislation it would be difficult to find." He deplored "the bog of unconstitutionalism, in which the Church was at present floundering." And, *secondly*, not only was the Commission unauthoritative, but also incapable. "Who were they, who would come forward to give evidence before such a Commission? A few lay agitators and a few clerical cranks, and the opinions of such persons would be given forth in the Report as the opinions of the Church!"

(c) *The Synod-Clerk* (Dr Mackness) moved to pass to the next business. (1) He was glad to be assured that the motion was "not disrespectful to the Episcopal College," because, until so assured, he had been under the impression that it was." But "there was *no doubt that Mr Christie had the feeling that the Bishops by what they had done had violated the constitution of the Church*, and also that it was with the view of still further violation on their part." (2) *Criticising Mr Christie's position*, he went on:— "When he read *the appointment issued by the Bishops to the Commission*, he looked upon it in an exactly opposite light from Mr Christie. He felt that the Bishops had had the Laity question forced upon their attention by a memorial presented to them and signed by some of the most eminent and useful Laity of the Church, asking for increased powers. The Bishops, therefore, could not help themselves; they were obliged to consider the matter. It seemed to him that their object in appointing the Commission was to find out, as far as they could, what it was that the Laity really wanted; and, next, how far they might consent to any such expressed wants of the Laity being brought before the Provincial Synod with a view to legislation. It rested entirely with the Bishops what subjects should or should not be brought before that body." (3) As for *the Dundee vote* of the Representative Church Council, Dr Mackness thought that, if the vote had been taken by orders, it might perhaps have appeared that the Laity were in favour of Mr Spens's motion. "Considering the fact that the vote was not taken by orders, and that the majority was a narrow one, he could easily understand that the Bishops might feel that they had not got the full mind

of the Church on the question, and that they simply took the step they now did with the view of eliciting whether or not they should take the matter up for legislation. He thought they ought to be thankful to the Bishops for what they had done."

(d) After a long discussion a vote was taken, when 9 voted for Mr Christie's motion and 8 for the Synod Clerk's amendment. Although this was *a formal victory for Mr Christie, it was a substantial defeat.* For it shewed that, whereas last year the Synod was practically unanimous against the Lay Claims, this unanimity no longer existed; and by being the single protest, which was raised anywhere against the appointment of the Commission, it called attention to the acquiescence of the whole of the rest of the Church.

III. Correspondence in the "Scottish Guardian."

While the Commission was sitting, there was *some correspondence in the* "Scottish Guardian." This may be divided into *two groups*:—

(a) *The first* was originated by two anonymous articles entitled respectively "Review"[z] and "Forecast."[a] They were contributed apropos of the Commission having finished the taking of evidence and settling down to the positive work of devising a scheme of lay representation. They described the several proposals which were being discussed and professed to reveal something of what had been passing at the meetings of the Commission. To this latter feature the Rev. J. Wiseman took exception in two letters,[b] but the writer of the articles was defended in a leader[c] by the Editor.

(b) *The second* was originated by an article[d] contributed by *the Rev. Angus Mackay* and entitled "The Case for the Laity." Never was that case more vigorously stated. (1) "Consider first the *preliminary meeting*, which is recorded in Acts XV. 4, 5. Though the question was a theological one, *the Laity formed part of the assembly* and took part in the

z S.G., 1904, p. 50. *a* p. 104. *b* 106, 123. *c* p 105. *d* p. 125-7.

discussion." (2) "The account of the meeting which actually decided the question begins with v. 6." "We read that all the multitude kept silence" at one stage, but it follows "that, if they kept silence at one part of the proceedings, they had not been silent at an earlier." "*Here also, as in the preliminary meeting the whole Church was assembled* and the discussion was open to everyone." (3) "This brings us to the decision of S. James, i.e., I judge . . . . . but this may be interpreted as merely, *My opinion is.*" (4) Then as to the emphatic "I," "It is assumed that it is the personal pronoun of dignity. But the context gives a far more natural and probable explanation. . . . *The 'I' here is the antithesis to the hostile opinions of the Judaizing party.* who had previously spoken—*they* think that way, *I* think this way." (5) He then turns to ask, "If this interpretation of the incident is disputed let us see *what is involved in the contrary view.*" And he shews that *three difficulties* appear to flow from making S. James the arbiter of the dispute, i.e., "Can any one believe that ecclesiastical autocracy was so advanced one year after our Lord's Ascension?" "It is time to revize our ideas of early Church history, if S. Peter and the other Apostles being present, left the decision of a world-wide question to S. James." "Our Bishops are not nearly so monarchical as they ought to be, and there is more to be said for an autocracy like that of the Pope!"—which is absurd. (6) *As to the letter of the Council,* whatever the reading is, he makes *the brethren take part in the writing of it.*

Then, leaving the Primitive, he comes to *the Mediaeval Church.* There (1) he maintains by *quotations from Buckle and Leckie that the Middle Ages constituted an epoch of darkness,* and that "for a thousand years there was to be found in Europe, not pure Christianity but an amalgam, in which the base elements almost neutralized the pure." Consequently it is but "folly to be appealing back to those days, when once more it might be said, as of old, that darkness covered the earth and gross darkness the people." (2) *Many of us regard the Reformation as a second Pentecost,* not less remarkable, not less far-reaching in its results, than the Feast

of Pentecost." (3) "All the Churches who received that baptism of the spirit have again admitted the Laity to a share of power along with the Clergy." He then examines at length the cases of *the Churches of England, Ireland, and the United States*, and shews that they all have granted the Laity the position, which he claims as their right. He also adduces Hooker as in his favour. (4) "Turn now finally to *the proposals which are made for bringing the Scottish Episcopal Church* somewhat nearer to the rest of the Reformed Episcopal Churches in this matter. No better scheme for uniting all parties can be devized than that which has been elaborated by the Laity Committee. But what is the broad principle underlying this proposal? It is so *ultra moderate* that one would have thought not a single individual would have been found to oppose it. It does not purpose to give to our Laity what the Laity of every similar Church possess, a vote upon its own affairs. It proposes merely that they shall have an opportunity to debate."

This outspoken manifesto produced *two short replies*:— *One* from *Rev. G. E. Daye*, who reminded Mr Mackay that his great Lay Assembly in England, i.e., Parliament, was a confessed failure as an ecclesiastical legislature, and that other Lay Assemblies might go the same road; and the *other* from *S. S. B.*,*f* whose thesis was that the proposal to set up a Lay Assembly was to introduce division into the Church; the whole Church was one single body, and "the Bishops and Clergy ought to be the truest representatives of the Church. They are chosen from among the whole Laity as the fittest persons for the purpose." He took the account of the choosing by the brethren of the seven deacons and their ordination by the Apostles (Acts vi.) as the model of procedure which ought to be followed.

e p. 139. *f* p. 154, 184.

CHAPTER XXIX.

The Report of the Bishops' Commission, 1904.

But the Bishops' Commissioners had now concluded their exhaustive labours, and their Report was issued on June 9th, 1904. It took the form of a great volume, demy 4to., of 296 pages.[g] The attempt to give a full analysis of it here would manifestly increase the present work to such an enormous extent that we shall pass by all notice of the bulky appendices and simply reproduce part of the Report itself. It runs as follows:—"We have held eight meetings. At the first meeting, held in Perth, we elected Mr John Alexander Reid, Chancellor of the Diocese of Edinburgh, as Chairman, and considered and decided upon the procedure to be followed in carrying out the inquiry defined in the Commission. Of the subsequent meetings, all of which were held in Edinburgh, four were devoted to the hearing of evidence, two to the discussion of the questions involved in the Commission, and one to the consideration and adjustment of the terms of this Report. . . . .

I. When our work in hearing evidence had been concluded, *we took up the question implied in your Lordships' Commission*—"Whether the existing organization of the Church, as defined in the Code of Canons, affords adequate means for ascertaining the mind of the whole Church on subjects proposed to be dealt with by legislation in its Provincial Synod.'

To this question we unanimously gave *an answer in the negative*.

The principal *reasons* which led us to this conclusion were:—

1. The mind of the Bishops and Clergy is ascertained through the Synodical organisations, as these are defined by

[g] Edinburgh, S. Giles' Printing Co., 27 Thistle St., 1904.

the Code of Canons. *The Laity have no means under the existing Canons of expressing their views.* Therefore the mind of the whole Church is not, by the present organisation, ascertained on any subject proposed for legislation.

2. The Laity at present have *no adequate means of knowing what legislative proposals are to be dealt with by the Provincial Synod*, and even the privileges they now possess might disappear without their being consulted. (Examples.)

3. *The Bishops* have no authorized means of ascertaining the views of the Laity.

4. *The Clergy* have no authorized means of discussing proposed legislation with the Laity, nor even in one body among themselves, prior to the meeting of a Provincial Synod, their only means of consultation at present being in the seven separate Diocesan Synods.

5. The *provision for notice* contained in the Canons with regard to proposed legislation *is inadequate.*

II. Having come to this conclusion we then proceeded, as directed in our Commission, to consider *how the defects of the present organization could be remedied*:—

(1) We unanimously agreed that *the mind of the Laity*, as part of the mind of the whole Church, *should be ascertained* on proposals for legislation.

(2) We had then to consider *what methods could be devised for ascertaining it*, and also what effect should be given to the expressed mind of the Laity in legislation:

This gave rise to the discussion of an important *question of principle* (a) *Some of us* were of opinion that the simplest and most effective way of ascertaining the mind of the Laity would be to give them, through representatives, an equal voice and vote in legislation to that now exercised by the Presbyters through those representing their Order in Provincial Synod; (b) *On the other hand*, others were of opinion that a clear principle exists of restricting the power of legislating in the Church, at any rate on doctrinal questions,

if not to Bishops alone, at least to those who by Ordination have received a commission to teach. These latter held that to admit a Layman to a decisive voice and vote in all legislation would involve the violation of a principle inherent in the constitution of the Church Catholic, and recognisable more or less distinctly all through its history; (c) After careful deliberation, without as a body expressing an opinion on this principle, and individual Commissioners retaining their personal views, we unanimously resolved to recommend that *the Laity should have a consultative voice only*; (d) This unanimous finding was arrived at in deference on the part of some of our number to the fact that others were in principle opposed to conferring on the Laity an equal voice with the Clergy in legislation. Reference may be made to the evidence, especially to that of Principal M'Lean, Rev. J. Comper, Canon Lowe, Mr Brodie Innes, Mr Spens, and Rev. Dr Lempriere, for the arguments advanced on the question of principle.

(3) This matter being thus disposed of, we then discussed the question *Whether the Laity should or should not be admitted as members of the Provincial Synod*, forming a separate Chamber of the Synod, but with a consultative voice only? (a) *To some* of our number an affirmative answer to this seemed the readiest solution. (b) *To others* it appeared that the addition of a Lay Chamber to the Synod, with a consultative voice, would tend to keep up an agitation for extending to the Lay Chamber a decisive voice similar to that exercised by the Bishops' or the Presbyters' Chamber; it would consequently be an arrangement, which could not be regarded as final, even if it did not in itself involve a departure from the primitive and essential constitution of the Synod. (c) Here, again, those who inclined to favour the creation of a Consultative Lay Chamber deferred to those who objected. It was made evident in the course of debate that the wishes of all of us would be practically met *if a representative body of Laymen were formed and empowered to consider proposals for legislation* and to declare their opinion thereon, before those are finally dealt with by the

Provincial Synod. (d) And, *further*, it became evident that in no quarter was there any strong desire that the Lay body should meet to deliberate by itself without consultation with the Bishops and Clergy; nor was it thought to be fair to provide for the Laity of the Church opportunities of meeting in one central organization for deliberative purposes, while the Clergy, as an Order, have only sectional opportunities for deliberation in their Diocesan Synods. *Mutual consultation of all Orders was felt to be the surest method* of ascertaining the mind of the whole Church. Realizing this, we come to the conclusion that a central consultative body, in which the whole Church should be represented, would be a desirable addition to the present legislative organization of the Church; and we agreed that we should not recommend that a consultative Lay Chamber should be added to the Provincial Synod.

(4) These important questions having been thus determined, we had then to consider *the best practical scheme*, under which the Bishops, clergy, and Laity should have an opportunity of consulting together and of declaring their views on matters proposed for legislation.

(a) Some of our number favoured the utilization in some form or other of *the Representative Church Council*, but, as others were strongly opposed to this idea, for reasons which appear in the evidence, the former, while still believing that the best solution of the question is to be found in making the Representative Church Council the consultative body, working in matters of detail through a committee of its own number, did not press their views. (See Mr Brodie Innes' Appendix, p. 151.)

(b) After full discussion, we came unanimously to the conclusion that a central consultative body, to be called *the Consultative Council on Church Legislation, should be constituted.*

(5) The Report then goes in detail into *the Constitution and Functions*, which the Commissioners recommended for their proposed new Council; but, as these recommendations were substantially accepted by the Bishops and laid before

the Provincial Synod, and as a more or less full account of the debates, which ensued in the latter body, is given in Chapters XXX. and XXXI., it is not necessary to re-produce the latter half of the Commissioners' Report here, for all can be gathered from what follows.

CHAPTER XXX.

1905. *The Approach of the Provincial Synod.*

The Conference of 1900; the Laity Committee of 1901; the Diocesan Synods of 1901-2; the Representative Church Council of 1902; and lastly the Bishop's Commission of 1903-4, all pointed in one way, i.e., towards legislation on the Lay Claims:—

I. *The Provincial Synod Summoned.*

(a) Now it so happened that, *independently of that subject, the Provincial Synod was under notice to meet.* During the last four or five years of the xixth century the Diocesan Synods of the Church had appointed Committees to suggest emendations on the Canons, and through the labours of these Committees a great mass of suggested improvements had been accumulated. In Edinburgh their tabulation had begun. On November 30th, 1899, therefore, the Episcopal Synod came to the conclusion that the time had arrived for the Provincial Synod to be summoned *to undertake the work of Canons Revision*, and it was announced in the "Scottish Guardian"[h] that "the Right Rev. bench have determined that a session of our legislative assembly be held not later than 1901."

(b) The "Scottish Guardian" indeed "welcomed the Bishops' decision" so heartily that it longed for what had been asked for at the Edinburgh Diocesan Synod, i.e., that Provincial Synods should be held periodically. But *the fixing of the date was not a matter, which was to be easily settled.* At the Episcopal Synod held on November 29, 1900,[i] the following resolution was indeed passed: "That in consideration of the large amount of matter bearing upon future legislation which is being brought to the

h S.G., 1900, p. 25. *i* p. 740.

notice of the Bishops, it is hereby resolved that the Provincial Synod be held in the autumn of 1902." But the irruption of the Lay Question into the midst of the general work of Canons Revision began to overweight the legislative machinery. So much was this the case that (as the Bishop of S. Andrews, the Right Rev. G. F. Wilkinson, D.D., announced[j] in his Diocesan Synod of December 12, 1901) "it followed from a plan having been brought forward for giving powers to the Laity, that the Provincial Synod, which was to be held in 1902, would confine its attention to such alteration of the Canons as would give effect to those proposals, if adopted." When,[k] therefore, 1902 (July 9) came, the Bishops resolved to postpone the Provincial Synod till 1903, and later in the same year (November 27) it was intimated that "the Bishops, being about to appoint a Commission to inquire and report to them as to any facts connected with the Lay Question . . . it is impossible at present to decide whether it may not be necessary to defer the meeting of the Provincial Synod provisionally fixed for 1903." At last at the Episcopal Synod of November 30, 1904, the final decision on this point was taken[l] for it was then "*unanimously agreed to hold a Provincial Synod at Edinburgh on Oct. 25, 1905*, for the purpose of considering, and, if accepted, of enacting certain alterations proposed by the Bishops to be made on Canons XXXII. and XLV. and a new Canon, these being *intended to give Canonical effect to the proposals contained in the Report of the Bishop's Commission* on Church Legislation."

II. *Preparing for the Provincial Synod.*

(a) With the summoning of the Provincial Synod matters had come to such a point that that happened which does not often occur in the history of the Scottish Episcopal Church. The attention of those who do not belong to her communion was at least temporarily attracted to her affairs. *A long article*[m] *upon the situation*, signed by "Anglican," *appeared*

[j] p. 840, S.G., 1901.
[k] S.G., 1902, p. 770. [l] S.G., 1904, p. 742. (Here we may note that the "Scottish Guardian" comes to an end.

in the columns of the "Scotsman." It began with an allusion to the schism which had recently occurred in the old Free Church on the occasion of the amalgamation of the greater part of that body with the "United Presbyterians," and then went on:—"The authorities of the Scottish Episcopal Church, wiser in their generation, have been considering a statesman-like scheme for extending the privileges of the Laity in the direction of giving them a consultative voice in the Church when subjects are introduced for discussion likely to lead to legislation." It then gave a review of the position of the Laity in all the other branches of the Anglican Church, and a sketch of the history of the question in the Scottish branch of that Communion, and concluded thus:—"The proceedings at the forthcoming Provincial Synod promise to be of considerable interest, and therefore likely to attract the attention of many others in the Scottish ecclesiastical world besides Episcopalians. It will greatly depend upon the result arrived at by this Synod whether Scotush Episcopacy is to march with the times, as regards its future policy in reference to taking advantage of lay co-operation as a governing power in the Church, or whether it will elect to remain in the backwater of conservative ecclesiasticism on this subject. We cannot doubt, looking to its progressive history, but that it will adopt the first-named course."

(b) In the *Edinburgh Diocesan Council*, which met on Feb. 6,[n] *the Dean* (Very Rev. J. Skinner Wilson) *gave a very clear account of the situation* as it then stood. (1) He began with a short historical survey, bringing events up to date. (2) He then explained that *the late Commission*, "while deciding that Catholic principle bore in favour of confining the actual authority in the enactment of canons to the spirituality of the Church, to the Bishops, assisted by the Presbyters, they *were unanimous*—and he thought their unanimity very remarkable—in coming to the conclusion that, though that principle had to be recognized, yet *it was most desirable that the Laity should have an opportunity for*

m Reproduced in the "Scottish Chronicle" for 1905, p. 382.
n Scot. Chron., 1905, pp. 34-5.

expressing what their minds were in regard to all legislative proposals before they were enacted in the form of Canons. (3) Practically, therefore, *their proposal was to give the Laity a consultative voice.*" "The Laymen (elected by all the communicants of each congregation) were to be allowed in the Diocesan Council to elect certain out of their own number, or out of the Laity of the Church, to represent them on the Consultative Council for legislation." (4) "Though one did regret that in their Church, with its many organizations, the Commission had recommended the *formation of a new body*, still it was thought that was preferable to overloading the existing organization, the Representative Church Council, with this work, which would be a very heavy work." (5) The Commission "also proposed that *every body* of the Church, the Diocesan Councils, and the Representative Church Council *should be at liberty*, if they so desired, *to discuss any proposal for legislation*, and to express their mind on it. (6) "It would be a far better way to elicit opinion beforehand than that they should risk passing legislation which the Church was not prepared to receive." (7) "In England they had begun (in *their* Representative Church Council) at the top, and created a body, which did not know how it was to be elected; whereas they in Scotland had begun at the bottom, and worked out a thoroughly representative organization."

(c) At his *Diocesan Synod*, which was held on Aug. 31,[o] *the Bishop of Moray and Ross* (hitherto known as Canon MacLean) explained his views of the situation:—(1) "Our *present system of legislation has been thought to be unsatisfactory for two leading reasons.* The *one* is that our Laymen at present have no means of knowing what is proposed to be done in the way of altering our Canons, though the changes may greatly concern themselves; and even if they do know, they have no organised method of expressing their opinion on proposed changes. The *other* is that Presbyters, though they may as an act of grace be informed by the Bishops of the exact changes proposed, have no method of considering them and expressing an opinion upon them, except in seven distinct

o Scot. Chron., 1905, p. 429,

diocesan Synods, which have no means of conferring together. We have nothing in Scotland corresponding to the Convocations in England. (2) It has been the object of the Commissioners *to propose remedies* for these and other defects. They aim, you will observe, not only at solving what is called the Laity question, but also at removing the defects, which at present injuriously affect the relations of Presbyters and Bishops to Church legislation." (3) "The *principal difficulty* lay in the relation of the Laity to *legislation on doctrinal questions*. It was believed by many of the Commissioners, of whom I was one, that to give laymen a decisive voice or veto on these matters would be a subversion of the principle of the early Church, which we have no right to give up. Had it been possible to separate doctrinal from non-doctrinal questions, it might have been easy to give to Laymen an equal voice with the Bishops and Presbyters on all matters, that did not involve doctrine, while reserving all, that did involve doctrine, to the Clergy. But it was seen that the two sets of questions are often inextricably commingled and cannot be separated." . . . (4) "As the result (of mutual concessions) *it is proposed to establish a central, consultative, mixed body of Bishops, Presbyters, and Laymen*, who shall, as of right be informed of all proposals for legislation in detail and who may, if they think fit, express an opinion on them for the benefit of the legislative body, the Provincial Synod. Furher, it is proposed that this consultative body shall be able, if it wishes, to suggest subjects for legislation, as at present our Diocesan Synods may do." (5) "But, beyond this, there was a general feeling that *no ecclesiastical body should be debarred from expressing its opinion*, if it wished to do so, on any matter affecting the Church." (6) In the course of his remarks the Bishop also touched on *various other points*, such as the unanimity of the Commission in making their Report; the effect which their proposals, if accepted, would have on the Diocesan Synods and Councils respectively; the desirability of receiving or refusing the Report, as a whole, and the Constitution, which the Bishops had prepared for the proposed Consultative Council."

At the meeting of the *Synod of Edinburgh, the Bishop* (*Right Rev. J. Dowden*, D.D.), made a few remarks on the proposed legislation. Amongst other things he said[p]: — (1) "The Commission discussed the questions submitted to it *with a fulness of information* derived from written and oral evidence, which I think has no parallel in the history of the Scottish Episcopal Church." (2) "As you are aware the suggestions made for the revision of the Canons *embody the result of give and take* between those, who held different opinions." (3) "It was not improbable that there would have been a minority Report. But the result surpassed expectation, and the Report was a *unanimous* Report." (4) He also dwelt upon the advantages to be derived from the transference of some of the business dealt with at Diocesan Synods to Diocesan Councils."

In the Diocesan Synod of Brechin the Bishop (*Right Rev. W. Robberds*, D.D.), after having expounded the scheme, concluded thus[q]:—"In forming my judgment, and I can honestly say that I tried to look at the question all round, three considerations weighed with me. (1) *The obvious trend of public opinion* both in the North and in the South in the direction of giving the Laity a more recognised place in these matters. (2) The Commission consisted of men of very different views on this subject. At the start the differences were very apparent. That they ended in producing a *unanimous Report* is to my mind very remarkable and a strong argument in its favour. (3) The decision of the Commission only to ask for a *Consultative* Body."

(d) But we pass on from the utterances of Bishops and other leaders to record the "*deliverances*[r] *of the Diocesan Synods* on the matters to be brought before the Provincial Synod, as communicated by the Synod Clerks." They were as follows:—

Aberdeen and Orkney.—Owing to the vacancy in the See, there has been *no meeting* of the Diocesan Synod to consider the matters.

p p. 237. *q* p. 231. *r* Scot. Chron., 1905, p. 578.

Argyle and the Isles[s].—The Diocesan Synod has given no deliverance on the subject other than giving their *general approval to the scheme.*

Brechin[t].—The Diocesan Synod on May 17 unanimously passed the following resolution:—"That the Synod *approves generally of the creation of a Consultative Council* on Church legislation, but gravely deprecates any extension of the powers of the Representative Church Council.

Edinburgh[u].—The following motion was unanimously carried:—"That the Synod having considered in detail *the proposals* to be submitted by the Bishops at the approaching Provincial Synod for canonical enactment, is of opinion that they *ought to be given effect to* by said Provincial Synod.

Glasgow and Galloway[v].—The Diocesan Synod unanimously gave a *general approval* to the draft alterations before them.

Moray, Ross, and Caithness[w].—Unanimously passed the following resolution:—"That this Diocesan Synod *gives its approval to the programme of business* for the coming Provincial Synod, which has been sent by the Primus to all the Clergy of the Church."

S. Andrews, Dunkeld and Dunblane[x].—"The Diocesan Synod has not yet been summoned, and *has not had the proposals before it.*"

Besides dealing in such a manner with the approaching Provincial Synod it remained for the Diocesan Synods *to elect their Representatives* to the legislative body. This, therefore, was done, and the list of their names was published[y] in the "Scottish Chronicle."

s p. 28. *t* p. 242.
u S.C., 1905, p 240. *v* p. 20. *w* p. 18. *x* p. 578. *y* p. 521.

CHAPTER XXXI.

1905. *The Meeting of the Provincial Synod.*

The Provincial Synod met on Wednesday and Thursday, October 25th and 26th. The sittings were preceded on the first day by a Choral Celebration of the Holy Communion in the Cathedral, Edinburgh. Afterwards the Bishops, as the first Chamber, sat in the Library, Old Coates House, and the second Chamber in the Chapter House. The second Chamber in due course proceeded to the First to report their selection of the Dean of Edinburgh (Very Rev. J. Skinner Wilson) as Pro-locutor and Canon Low of Largs as Pro-proluctor. The Primus (Most Rev. G. H. Wilkinson, D.D.), after welcoming members to the Synod, made most sympathetic reference to the serious illness of the Bishop of Argyle and the Isles (Chinnery-Haldane).[z]

The report of the proceedings occupies sixteen pages of the "Scottish Chronicle,"[a] and it will be impossible to notice here all that was well said in the debates. Let the following summary be enough:—

I. A Consultative Council Desirable. Canon XXXII.*a.*

On the question as to whether the legislative body then in session ought to sanction the creation of the Consultative Council proposed by the Commission:—

(a) *The Bishops had already sufficiently declared their minds* by publishing a constitution for the same so long ago as November 30, 1904;[b]

(b) *But in the Lower House there was a full dress debate* on the point. (1) *Rev. Chancellor Keating* moved[c] the first clause of Canon XXXII.a:—*There shall be a standing body under the name of the Consultative Council on Church Legislation.* (2) The *Rev. W. J. Wilson*, who was seconded

z S.C., 1905, p. 539.

a pp. 577-592, or 48 columns, each containing 123 lines,

b S.C., p. 578.

c p. 582.

by Rev. Dr Lempriere, moved as an amendment—"*That the proposal to form a Consultative Council is not in the best interests of the Church.*"[d] "It appeared to him that to form such a body as proposed was nothing less than to deprive the Legislative Synod of its power to a great extent. While the Provincial Synod was called together to decide on legislation, the questions it had before it would have been deliberated on by such a Council to such an extent that nothing would remain for it to do but to register the proceedings, which had gone before." (3) The *Rev. Canon Meredith* moved as an amendment—*That instead of a Consultative Council being formed, representatives of the Laity should be admitted to the Diocesan Synods with voting powers; and to the Provincial with speaking but not with voting powers.* "There was clear evidence, he said, that in the early Church the opinion of the Laity was taken even in Provincial Synods, though they did not vote. . . . The Consultative Council would be fraught with great danger. He thought his proposal was more in accordance with the Council of Jerusalem." (4) The *Prolocutor*[e] (leaving the chair) said that hitherto "*the Provincial Synod only met at long intervals*—every fifteen years or so. But difficult questions accumulated, and the Bishops, to keep difficult questions from coming before the Church, were inclined to sit on the safety valve. He did not think that was in the interests of the Church, which could best be served by frank and open discussion; and, if they did not have this Consultative Council to consider legislation, they were faced with another necessity —they ought to enact that the Provincial Synod shall meet very frequently and periodically. But he thought, *if they had such a Consultative Council in action, it would be of great use in* ascertaining opinion, bringing forward subjects that were really pressing for legislation and bringing them forward with the weight, that would attach to a representative body of the Church. But at the same time (in answer to Mr Wilson) it would *always be before the Provincial Synod that they were in no way bound by the Consultative Council.* Mr John

d p. 583. *e* p, 584.

Spens, who had so much to do with the proposal before them, had said most emphatically that, if the Laity had the opportunity of expressing their views, then they would be perfectly satisfied to leave the decision of matters of legislation in the hands of the Clergy." "He hoped Mr Wilson's adverse argument would not carry too much weight. He would have the Chamber remember that, while they would have a Council thrashing out the subjects for legislation, and doing it well, that the Provincial Synod would meet, not to register decisions, but to deliberate upon them from the point of view of their entire responsibility, as Bishops and Presbyters for the laws, that were to rule the Church."

After a lengthy reply from Mr Wilson, his "amendment was then first put against Canon Keating's motion, and was lost by 5 to 28. Canon Meredith's amendment was next put against the motion, and the latter was carried by a large majority. *The motion in favour of establishing the Council*, as embodied in the first clause of the proposed new Canon, was then put as a substantive motion, and *was carried by 30 against 6*. The 6 were:—Revs. Canon Meredith, Dr Lempriere, W. L. Christie, W. J. Wilson, Moir, and R. Cruickshank.

II. The Constitution of the Consultative Council. Canon XXXII.*a. Note.*

Having thus seen the desirability of the formation of the Consultative Council all but unanimously affirmed, we pass on to consider the formation of its Constitution:—

(a) Just as *the Episcopal Synod* had framed the Constitution of the Representative Church Council in 1876, so now, as already mentioned, they *had put forth a constitution for the Consultative Council on November 30, 1904*. The Upper House had therefore little before them on this point on the present occasion. But it was otherwise with the *Lower Chamber*. Before, however, they could enter upon the consideration of the Constitution, the *question had to be answered whether*, in view of the action of the Episcopal Synod, *they were at liberty to discuss the Constitution at all*. Upon this

point a debate took place among the Presbyters. *The Prolocutor*[f] "suggested that the Chamber should appoint him to go to the Bishops to ask if the proposed constitution might be considered by them." *The Dean of S. Andrews* (Very Rev. V. L. Rorison, D.D.) moved to that effect. *The Rev. J. M. Danson*, D.D., "did not think the Chamber was bound to ask the permission of the Bishops to consider this question." *Rev. J. Wiseman*, D.D., reminded them that "the Bishops had in this acted in strict accordance with the precedent at the time of the formation of the Representative Church Council. If this view was correct the Chamber would not be in order in discussing the details of the constitution." *The Prolocutor* shewed that the parallel of 1876 was not a good one, for:—The Constitution of the Representative Church Council was drawn up by a Conference of Clergy and Laity in Edinburgh, a Conference in which the Church was represented from top to bottom, and then the Bishops approved of it and sanctioned it, and it was accepted by the Provincial Synod. . . . He wished, however, to be sent to make enquiry of the Bishops before going further." "After some conversation the Chamber by a large majority agreed to the Dean of S. Andrews motion, and *the Prolocutor proceeded to the first Chamber.*"[g]

Arrived there,[h] he informed the Bishops that he was sent to them "to ask whether it was to be understood that it would be competent for the second Chamber to enter into consideration of the constitution of the Consultative Council." He then gave his view as to the precedent of the Representative Church Council in 1876 and his reasons for believing that the present case was different. "In the event of their Lordships answering in the negative, then he respectfully asked on behalf of the Second Chamber that their Lordships should have a conference with them on the subject." The Prolocutor then withdrew, and the Upper Chamber discussed the point. The Bishop of Moray (Right Rev. A. J. MacLean, D.D.)—"I think it is clearly not open to review and amendment." "We cannot as first Chamber do it, but

f p. 584. *g* p. 585. *h* p. 579.

we may as the Episcopal Synod consider it, I think. I venture to suggest that on Section 1 of the new Canon they may talk about the new Constitution, and anybody is then at liberty to move that the Canon be not enacted, until such and such alterations are made in the constitution, when it would be quite competent for us to make the alterations sitting as the Episcopal Synod." *The Bishop of Ediburgh* (Right Rev. J. Dowden, D.D.)—"If you get it done, I don't care about the formula." *The Bishop of Glasgow* (Right Rev. A. E. Campbell, D.D.) —"I fail to see that it is outside their purview." *The Bishop of Brechin* (Right Rev. W. Robberds, D.D.) concurred with the Bishop of Glasgow. The Prolocutor was then recalled and informed by the Primus that the Bishops were agreed:—"That without discussing whether the Constitution is open to amendment by either Chamber, the First Chamber is of opinion that, *as an amendment to Section 1 of the new Canon, any member of the Synod may move to delay the formation of the Consultative Council, until such and such amendments in the Constitution have been made*; and, if this is carried and reported to the first Chamber, it will adjourn, and the Bishops will at once meet in Episcopal Synod to discuss the matter."

(b) Although, therefore, the Constitution was not formally admitted by the Bishops to be before the second Chamber, yet *they allowed that the new Canon* (the first Section of which ran as follows*i*:—"1. There shall be a standing body under the name of the Consultative Council on Church Legislation, *the Constitution of which was formally accepted by the Episcopal Synod by resolutin dated November 30, 1904*") *was open to their amendments.* Accordingly, when the Prolocutor returned to the second Chamber with the foregoing answer he suggested*j* that they should act upon this opinion and proceed at once to consider what amendments, if any, they would desire to see introduced into the Constitution of the Consultative Council," all such amendments being introduced as amendments on Section 1 of proposed Canon XXXII.a.

i p. 592. *j* p. 585.

This suggestion having been unanimously adopted, *the House proceeded to discuss* the new Canon and, as bearing on that, *the Constitution as agreed upon by the Bishops on November 30, 1904*, and that as freely as if it had been fully and formally before them.

As a matter of fact *they carried a good many amendments*,[k] and these were duly taken by the Prolocutor to the Upper House,[l] where they in turn underwent further modification,[m] until, by mutual concessions, full and final agreement was arrived at. "The Second Chamber," it is at last recorded,[n] "took up the consideration of these amendments of the First Chamber, *and they were all agreed to*." But, important though the work, thus done, was it would defeat the purpose of these pages, to unravel and record minutely the intricacies of the negotiations, by which the result was reached, and *we must content ourselves with giving some account of the fortunes of two or three of the amendments* suggested which seem to be of the broadest interest:—

(1)The *first clause of the Constitution* read as follows:—"*The Council shall consist of* the Bishops; 5 Clerical and 5 Lay Members, nominated by them in meeting assembled; so many clerical members from each Diocese, as equal the number each Diocese would be entitled at the time of election to elect as clerical members of the Provincial Synod, and an equal number of Laymen from each Diocese." *The Dean of Glasgow* (the Very Rev. M. B. Hutchison, D.D.) moved that "Instead of 5 clerical and 5 lay members nominated by the Bishops, there be substituted the 7 Deans and the 7 Chancellors." In reply to the *criticism on the number, the Prolocutor* said "He thought the number 5 of each order was fixed on, so that the Bishops might not each send up his own man. The Commission considered it important that this consultative body should contain members selected from the Church as a whole." With regard to the Dean of Glasgow's *amendment to substitute the 7 Deans instead of 5 clerical members* nominated by the Bishops, *the Dean of S. Andrews* (Very Rev. V. L. Rorison, D.D.) contended in an extremely

k pp. 585-6-9. *l* p. 579. *m* pp. 579-590. *n* p. 590.

racy speech that the Deans were entitled ex-officio to a place on the Council. But the *Prolocutor* replied that no real slight was implied on the Deans. "He thought the Deans would be acquainted with the feeling of the Church, and that they would be sure to be elected, and that it was far better that they should be elected, than official, members." *Some demur having been taken by the Rev. W. J. Wilson to the Bishops having a vote in the Council, Rev. Canon Farquhar* replied that, so far as his recollection of the Commission's mind went, "the arrangement was that the Bishops might be in the consultative body in order that they might constantly feel the pulse of the Church, and it was thought that (besides being enabled to influence the Council), if they were constantly feeling the pulse of the Church and hearing the debates of the Council they would be much more willing to summon Provincial Synods than they had been before." With regard to the risk of them "giving themselves away" in the Council and "destroying the position they ought to hold when they sat in Episcopal Synod," he replied that "They could be present and speak or not, as they chose, but it was felt that they should be in the Council and be able to make up their minds." *The result in connection with this clause was that it was accepted as drawn up by the Bishops.*

(2) *The fifth clause* of the Constitution ran as follows[o]:—"*The Bishops* in meeting assembled *shall* from time to time, and as often as they shall see fit, *nominate the Convener of the Council*, etc." The *Rev. R. Cruickshank* "moved that the section should be altered to the following—*The Consultative Council shall elect its own Convener or Chairman.*" "The motion was supported by Dr Danson and others and carried by a very large majority. How did the First Chamber receive this amendment? The answer is given in the following extract. When the Second Chamber had received the reply of the Bishops, it took[p] up consideration of the deliverance of the Episcopal Synod on the constitution as amended by this Chamber. The resolution (i.e., of the Bishops) had been to *accept clause 5 as follows:*—"*The Consultative*

o p, 586. p p. 589.

Council shall elect its own Convener." To this their Lordships had unanimously agreed.

(3) Only one other amendment will be here noticed. The Second Chamber proposed[q] that *the date* of the Episcopal acceptance of the Constitution of the Consultative Council as a whole *should be changed from Nov. 30, 1904 to Oct. 26, 1905.* It appears later on[r] that "the First Chamber carried an amendment on section I. to alter the date of the formal acceptance as above stated. This at first sight may seem a formal trifle, but its significance lies in this: that it is an evidence that the Episcopal Synod finally accepted the Constitution of the Consultative Council, not as originally framed by themselves, but as finally drawn up by them after the fullest consultation with the Provincial Synod.

(c) *As finally passed, the new Canon* (XXXII.a.) *read as follows*[s]:—

"Of the Consultative Council on Church Legislation."

1. There shall be a standing body under the name of the Consultative Council on Church Legislation, the Constitution of which was formally accepted by the Episcopal Synod by resolution, dated 26th October, 1905.

2. The business of the Council shall be—

(1) To consult, if it see fit, on any subject proposed for legislation by the Provincial Synod, and to make representations thereon to the Episcopal Synod.

(2) To consult concerning any subject seeming to need legislative action, and, if it see fit, to make representations thereon to the Episcopal Synod.

3. No alteration of the existing Constitution of the said Council shall be valid unless submitted to and approved by the Provincial Synod.

Having already noticed in this chapter:—*Section 1.* of the Constitution, giving the composition of the membership of the Council, and *Section 5*, giving the Council the appoint-

q p. 579. *r* p. 589. *s* p. 592.

ment of its own Chairman, it does not seem necessary to burden these pages with all the remaining seven sections of the Constitution, dealing as they do with necessary but technical and dry points: such, for instance, as that the Council shall have power (4) To delegate its business to Committees. They will be found by the enquirer in the note appended to Canon XXXII.a of the present Code.

III. *Provisions for the Publicity of Legislation, Canons* XXXII. *and* XLV.

Thus the important new Canon (XXXII.a) establishing the Consultative Council, together with its Constitution, was passed. But it would be a mistake to suppose that that was the only piece of work, either recommended by the Commission or accomplished by the Synod. The fact is that *the Provincial Synod also made important modifications in Canons* XXXII. *and* XLV. *of the Code of 1890.* The object of these modifications was *to secure in every way possible the utmost publicity for the process of legislation,* when undertaken by the Provincial Synod:—

(1) *Section 1 of Canon* XXXII., *1890,* had contained a provision to this effect:—That the Primus, in issuing his Mandate for the meeting of the Provincial Synod, should also issue "a general intimation of the purposes, for which the Synod is summoned." This the Commission had considered inadequate, and it *was deleted* by the First Chamber[t] on the opening day of the Synod and by the Second Chamber[u] on the following day.

A new Section 2 took its place, containing more ample provision for publicity:—(a) "*The Primus shall* at the same time that he issues the Mandate *cause to be published* for the information of the Church, in such way as he shall see fit, and *as fully as in his opinion is reasonably practicable, a statement of the matters to be brought before the Provincial Synod.*" (b) The next question naturally was:—*What should fall under the head of "these matters?"* In the draft, which the First Chamber sent down to the

t p. 578. *u* p. 587.

Second, the Bishops suggested they should be not only "such matters as the Episcopal Synod should think fit," but also "any matter, which a Diocesan Synod or the Consultative Council . . . shall have presented, . . . provided[v] it be not decided by a majority of Bishops that the matter so presented ought not to be brought forward." The Second Chamber, however, changed this into:—"The Bishops shall determine beforehand what subjects shall be brought forward for the decision of the Provincial Synod, and to this end shall take into consideration any representations which may have been made to them by a Diocesan Synod or by the Consultative Council,"[w] and only what the Bishops so decided upon should be published in the statement. And this was finally enacted,[x] with the exception that "The Episcopal Synod" was substituted for "The Bishops." (c) *One other point* alone remained in this immediate connection. Could any business be taken up by the Provincial Synod which had not been included in the Primus's statement? The Bishops answered this simply in the negative,[y] but it was changed, at the instance of the Second Chamber, into:—"No matter not included in the foresaid statement shall be brought forward at the Provincial Synod, without the consent of at least three-fourths of those present in each Chamber."

(2) So much for the new Section 2, requiring publicity at the beginning of legislative proceedings. *A new Section 20 provided for publicity at a later stage also.* It was provided that, after the Provincial Synod had discussed the proposals brought before it, and drawn up the consequent changes in the Canons, yet "*No*[z] *alteration on, nor addition to, the Canons shall take effect until* such alteration or addition shall have been confirmed by a majority of each Chamber at *an adjourned meeting* of the Provincial Synod, to be held after an interval of time sufficient to give the organizations of the Church, hereinafter named, opportunity of considering the proposed legislation, provided that such interval shall not in any case exceed twelve months after the close of the

v cf. Sec. 5, Canon xxxii. of 1890.
w p. 587. *x* pp. 579-80, 592. *y* p. 578. *z* p. 592.

previous meeting of the Synod." *So far this section was accepted* by the Synod with little difficulty,[a] although, of course, the original was not allowed to be the final form of some of the phrases.

(3) *But now arose a point, which for a moment almost produced a deadlock between the two Chambers. That point was:—What were to be the "organizations of the Church,* hereinafter named, *which should have the opportunity of considering the legislation" proposed by the Provincial Synod?* (a) As sent down by the *First* Chamber to the Second, Section 20 provided both that the said organizations should be *the Diocesan Synods, the Diocesan Councils, the Representative Church Council, and the Consultative Council,*[b] and that these should not only have time given them to discuss the proposed legislation, if they wished, but also that such proposed legislation should be formally communicated to these bodies by the Clerks of the Provincial Synod, and that they in their turn should communicate their findings direct to the Clerks of the Provincial Synod. (b) But, lo and behold! the Prolocutor appeared[c] in the Upper Chamber to report that "*the Second Chamber proposed to omit the words 'the Diocesan Councils, the Representative Church Council.'* " While the Bishops were discussing several other points, which he had reported from the Second Chamber, the Prolocutor re-appeared before long[d] and made the difficulty greater by informing their Lordships that his Chamber had made an important change in Canon XLV. as sent down by the Bishops. This Canon, entitled, "Of the Representative Church Council," provided that:— "It shall be in the power of the Representative Church Council and of the Diocesan Councils to discuss any question affecting the interests of the Church, and to refer it, if they think fit, to the Consultative Council. *But this provision, too, it appeared, the Second Chamber proposed to abolish.* (c) Hereupon the Bishop of Moray was strongly of opinion that *the Bishops must make a rally and*

a pp. 578, 587, 579. *b* p. 578. *c* p. 579. (For the debate in the Second Chamber see pp. 587-8.

defend the interests of the Laity against the proposals of the Presbyters. (d) When matters were beginning to look serious, and the Bishop of Brechin deprecated "a deadlock," the expedient of *a Conference between the two houses was resorted to.* (e) After this had taken place and the Second Chamber had explained their views at length to the First, the *Bishops of Moray and Glasgow were for standing by the Lay Organizations.*[e] (f) But at this point the Prolocutor appeared once more with what he described as "*a compromise*" *from the Second Chamber.* It was to the effect that the Presbyters had now agreed to pass Section 4 of Canon XLV., as framed by the Bishops. "But the Second Chamber was not prepared to depart from its amendment of Section 20 of Canon XXXII. in cutting out the words 'Diocesan Council' and 'Representative Church Council' in that Section." *In this compromise the Bishops acquiesced,* and the final result was that the Representative Church Council and the Diocesan Councils did not succeed in winning what the Bishops had proposed, i.e., the Canonical right of being informed by the Provincial Synod of its proposed legislation, and of communicating in return their opinions on that legislation direct to the Provincial Synod; *but* they did emerge from our Synod with the canonically expressed right of "discussing any question affecting the interests of the Church and referring it, if they thought fit, to the Consultative Council for its consideration."

On the remaining Sections of Canons XXXII. and XLV. it is not necessary to say anything here.[f]

After the business of the Provincial Synod had closed, the "Te Deum" was recited by the members and the Primus pronounced the Benediction.[g]

IV. *The Consultative Council in being, 1906.*

"*The*[h] *first meeting of the Consultative Council* on Church Legislation was held in the Chapter House of S. Mary's Cathedral, Edinburgh, on Wednesday, June 13, 1906. The

d p. 580. *e* p. 581. *f* p. 592. *g* p. 581. *h* S.C., 1906, p. 444.

Holy Communion had been celebrated in the Cathedral at 8 a.m., and at 11.30 a.m. the Council was constituted in the Chapter House." The Bishop of Edinburgh (Right Rev. John Dowden, D.D.) at first took the chair, but he did not occupy it long. For the first piece of business was the election of a Convener, and Mr John A. Reid, K.C., who had acted as chairman of the Bishop's Commission with such conspicuous success, was soon unanimously chosen. Whereupon the Bishop left the chair to him. Mr George J. Wood, W.S., was then "appointed Interim Secretary to the Council, pending further consideration of the whole question of officers." After a good deal of discussion "a Committee of nine was appointed to consider the procedure of the Council and to bring up a report to next meeting dealing with" various points, and amongst these "any other matters referring to the future conduct of business of the Council." The Dean of Edinburgh (Very Rev. J. Skinner Wilson) gave notice "That many of the Canons are in pressing need of revision, and that the Consultative Council should consider in what way the Council may best apply itself to promote the work of revision." The meeting then terminated.

And so, besides granting to the Laity full financial powers by the establishment of the Representative Church Council in 1876, there has been another important result of the long controversy, the history of which has been detailed at length in these pages. The traditional party has indeed carried its point, inasmuch as the Laity have not been admitted as members of the Church's Synods, and therefore do not possess the legislative vote; but, on the other hand, the party of progress has substantially carried its point also. For by the establishment of the Consultative Council a body has been created in which Laity can discuss and vote upon all legislative proposals on an equal footing with the Bishops and Clergy, and the expressed opinions of such a body cannot fail to have the greatest weight with the legislative Provincial Synod.

Postscript.

At the beginning of Chapter II. I said:—"Into this long and sometimes stormy sea we must now plunge." We did so, and at last *magnum confecimus æquor;* our extensive voyage is over. With the establishment of the Consultative Council, we have reached the haven, for which, through so much ebb and flow of the tide and so many gales favourable and adverse, we have been perseveringly making. Shall I be justly charged with egotism, if at this point, after so protracted an effort at being strictly impartial, I resume the attitude of the Preface and frankly come back to my own opinions? I risk the experiment:—

The result upon my mind of analyzing and transcribing all the foregoing arguments from Scripture and Antiquity concerning the scope of Lay influence in the Church has been, as I said, this. At first the fact that every controversialist could plausibly represent each statement or precedent as being in his own favour, was undoubtedly bewildering. But I have emerged from the contending argument with the conviction firmly impressed on my mind, that both Scripture and Antiquity establish the broad fact—that the Laity of old possessed a very important share in the legislation of the Church; but yet a share, which fell short of that assigned to the Clergy and especially to the Bishops.

And it further seems to me that, in the newly achieved constitution of our Scottish branch of the Church, that primitive balance of power is very faithfully reproduced, according to the circumstances of the twentieth century. In the Consultative Council, wherein the representatives of the Laity can freely advise on all subjects, which concern the welfare of the Church; and in the Representative Church Council and Diocesan Councils, wherein they have at least an equal share with the Clergy in the management of ecclesiastical finance, and wherein they now have liberty to discuss much wider themes, our Laity have undoubtedly a very important share in our legislation. Besides which they are also authorized to take part in the election of Bishops and to be licensed

as Lay Readers. But yet the Provincial Synod, which is the ultimate legislative body, is solely composed of the Bishops and Clergy. And thus, great though the rights of the Laity in legislation have now become, they are, as a matter of form, distinctly less than those of the Clergy. My own expectation is that, as a matter of fact, the Consultative Council will have a general tendency to give a lead to the Provincial Synod and yet that Synod will always be free to refuse to follow the Consultative Council, except in so far as itself freely chooses. In a word, our Laity will have an important, but, as a matter of form, a less important, share in legislation than the members of the ordained Ministry.

So much for the ecclesiastical lawfulness of our present constitution. When we turn to the question of expediency, it is abundantly evident that the enhanced power of the Laity is likely to produce all those benefits internal to the Church, which the champions of the Lay Claims, from Mr Gladstone onwards, have expected from it. And, as for those not of our Communion, surely it may be reasonably anticipated that the present more popular form of government, which we have adopted, will render us more congenial to their sympathies than we hitherto have been.

One more remark, and then I am at last done. There is no doubt that the change from the autocratic Episcopate of the 18th, and greater part of the 19th, centuries to our present system of Councils (not to mention Synods) amounts to a revolution in our affairs—not a revolution in the Apostolic essentials of Church Order, for our Bishops are still, both in form and fact, our recognised rulers; but a revolution in ecclesiastical arrangement. With the changes of time and circumstance we have adapted ourselves to our altered environment. But it is worthy of note that this revolution has been achieved peacefully. It has taken a long time to bring about; but there has been absolutely no schism in consequence of it. No move has been made without the whole Church agreeing to move together. It may in fact be called a Conservative Revolution. Now, as everyone knows, it is by no means a matter of course that ecclesiastical revolutions can be unanimously and peacefully carried

through anywhere—least of all in Scotland. On the contrary, much less important things than the granting of the Lay Claims, as they are now granted among us, have produced bitterness and divisions amongst our fellow Christians in the North. And therefore it is not going too far if, on the ground of the preceding narrative, we claim for the leaders of our Church from 1850 to 1906 that they have shewn clear evidence of Statesmanship. To my own mind, indeed, this freedom from schism during all the difficulties and heats of the Lay Controversy is a practical proof that there is something admirable in the episcopal form of government. Nay, I cannot help believing that our Fathers in God have been helped in this matter by the promised indwelling of the Holy Spirit in the Church. God grant that my favourable opinion do not prove to be mistaken. The future will shew.

THE END.

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